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# Interests, Ideas and Institutions: Explaining Immigration Policy Change in Britain, 1997-2010

**Erica Consterdine**

Thesis submitted for the Degree of  
Doctor of Philosophy in Politics

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**Statement**

I hereby declare that this thesis has not been and will not be, submitted in whole or in part to another University for the award of any other degree.

Signature.....

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UNIVERSITY OF SUSSEX

ERICA CONSTERDINE

THESIS SUBMITTED FOR DEGREE OF DOCTOR OF PHILOSOPHY IN  
POLITICS

INTERESTS, IDEAS AND INSTITUTIONS: EXPLAINING IMMIGRATION  
POLICY CHANGE IN BRITAIN, 1997-2010  
SUMMARY

Under the Labour governments of 1997–2010, Britain’s economic immigration policy was transformed from one of the most restrictive to one of the most liberal in Europe. This development was especially puzzling given the noted path dependence of immigration policy, as well as the absence of any public demand for liberalisation. Based on over 40 elite interviews coupled with document and archival analysis, the thesis sets out to explain why economic immigration policy changed so radically in Britain between 1997 and 2010 by examining how organised interests, political parties and the institutional context influenced policy and policy change. The thesis argues that policy change was a result of a combined set of favourable conditions. The overarching change in the policy framework was also not preconceived and the repercussions were not intended. The shift in policy framing was a consequence of an accumulation of policy reforms from different departments with different agendas. However, the logic and idea behind the policy reforms were fundamentally underpinned by the Labour Party’s third way framework, in particular the Party’s business-friendly approach and its fixation with globalisation. The thesis demonstrates that immigration policymaking in Britain is an elite-driven pursuit, that the institutional context is pertinent to explaining policy change and that parties, and the ideas which configure them, shape immigration policy.

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**List of abbreviations:**

A2	Two countries which joined EU in 2007 Bulgaria and Romania
A8	Eight countries which joined EU in 2004: Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia
BCC	British Chamber of Commerce
BHA	British Hospitality Association
BIS	Department for Business Innovation and Skills
CBI	Confederation for British Industries
CEE(C)	Central and Eastern European (Countries)
CIPD	Chartered Institute of Personnel and Development
CRE	Commission for Racial Equality
DCLG	Department for Communities and Local Government
Defra	Department for Environment, Food and Rural Affairs
DfEE	Department for Education and Employment
DTI	Department for Trade and Industry
DWP	Department for Work and Pensions
EBP	Evidence-based policy
EEC	European Economic Community
EU	European Union
FCO	Foreign and Commonwealth Office
GATS	General Agreement on Trades in Services
GSK	Glaxo Smithkline (pharmaceutical company)
HMRC	Her Majesty's Revenue and Customs
HSMP	Highly skilled migrant programme
ILPA	Immigration Law Practitioners Association
IND	Immigration and Nationality Directorate
IOD	Institute of Directors
IRSS	Immigration Research and Statistics Service
IPPR	Institute for Public Policy Research
JCWI	Joint Council for the Welfare of Immigrants
JUG	Joined-up Government
LPRAG	Labour Party Race Action Group
MAC	Migration Advisory Committee
MBA	Migration and Border Analysis
MIF	Migration Impacts Forum
MW	Migration Watch
NEC	National Executive Committee
NFU	National Farmers Union
NHS	National Health Service
PBS	Points-based system
PIU	Performance and Innovation Unit
PMI1(and 2)	Prime Minister's Initiative for International Education (1= 1999-2005; 2=2006-2011)
PSAs	Public Service Agreements
UK	United Kingdom
UKBA	UK Border Agency
UKCISA	UK Council for International Student Affairs
UUK	Universities UK
RLMT	Resident Labour Market Test

SAWS	Seasonal Agricultural Workers Scheme
SBS	Sector-based scheme
SpAds	Special Advisors
TGWU	Transport and General Workers' Union
TUC	Trade Union Congress
WRS	Workers Registration Scheme

# Chapter 1

## Introduction – the puzzle of managed migration

*“I think it is a good rule of thumb to ask of a country: are people trying to get into it or out of it? It's not a bad guide to what sort of country it is” (Tony Blair 2003)*

### 1.1 Introduction

Writing in 1994, Gary P. Freeman famously described the United Kingdom as a ‘deviant case’ in Western European migration policy. For over three decades, successive British governments had managed to combine a liberal approach to flows of capital and trade with effective limits on the flow of immigrants. Yet just five years after Freeman made his diagnosis, a small revolution began in UK immigration policy. Under the Labour administrations and particularly during the Blair government’s second term of office (2001-2005), economic immigration policy was extensively expanded: work permit criteria were relaxed, new migrant worker schemes were launched, and from 2005 a new points-based system (PBS) modelled on the settler societies of Australia and Canada was introduced. As important as all these reforms were they were overshadowed by the decision in 2004, to allow citizens of the new EU member states the right to work in Britain, resulting in one of the largest migration flows in UK history. Compared with the dearth of legislation and administrative reform in the previous three decades, the Labour governments were nothing short of hyperactive about immigration.

These policy reforms were couched in the narrative of ‘managed migration’, a term used to signify a new approach to immigration regulation based on economic utilitarian arguments. Coupled with the mantra of attracting the “brightest and best” immigrants, managed migration denoted an alternative immigration system based on the supply and demand of skills, and above all embracing the positive economic benefits of immigration. More than just political hot air, with two and a half million foreign born workers added to the population since 1997, and over half of the UK’s foreign born

population arriving between 2001 and 2011, it is no exaggeration to say that immigration under Labour quite literally changed the face of Britain (ONS 2012a; Finch & Goodhart 2010, 3). By the time Labour left office in 2010, a ‘deviant’ zero immigration country (Layton-Henry 1994) had been transformed into a fully-fledged ‘migration state’ (Hollifield 2004). Historically for the UK, and comparatively across Europe, Labour’s reforms were an unprecedented policy reversal (Hansen 2011).

The Labour government’s rapid policy change is puzzling for at least two reasons. Firstly, the existing political science literature has often emphasised the ‘path dependent’ character of immigration policy in Britain and indeed elsewhere (Hansen 2000; Tichenor 2002), suggesting that immigration policy change is likely to be incremental at most. Secondly, as the Labour government’s liberalisation of immigration policy went against public opinion, there was no obvious electoral dividend in opening up the British labour market to migrants. British public opinion has long been antagonistic towards immigration, but opinion polling indicates that this became even more so during the early 2000s (Ipsos-Mori 2000; 2003) at the same time as its political salience increased (Ipsos-Mori 2010). How then to explain a change that was both electorally risky, and ran counter to Britain’s past immigration policy? How did a country which was defined by its ‘aspiration for zero immigration’ (Freeman 1994) evolve into a fully-fledged ‘migration state’? This thesis aims to explain why such a policy transformation occurred under the Labour governments, by unpacking the mechanisms and processes which led to such an unexpected outcome.

The objective of this research is to explain the expansionary developments of economic immigration policy under the Labour administrations of 1997 – 2010. It is important to stress that the focus of this research is explicitly with labour and student immigration, which combined are referred to here on in as economic immigration. These two categories are closely related because these streams are ‘wanted’ immigration (Joppke 1998), in contrast to ‘unwanted’ immigration such as irregular, humanitarian or family migration. The terms expansive and/or liberal policy are used to signify the Labour government’s approach to facilitate entry of migrant workers, rather than any liberalisation in terms of migrant rights<sup>1</sup>. While other areas of immigration policy, such

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<sup>1</sup> Economic immigration policy here refers only to policy reforms concerning regular immigration rather than any measures concerning irregular (or illegal) immigration. Asylum and refugee policy are likewise excluded from this analysis, which in the UK is a different branch of policy.

as asylum and irregular immigration, became increasingly restrictive during this period, the Labour government's economic immigration policy, which this thesis is concerned with, was undoubtedly an expansive one. How then to explain this puzzling development? What drives immigration policy, and which sets of actors shape the direction?

## **1.2 Explaining migration management**

In the context of economic globalisation and an embedded international human rights discourse, some scholars contend that there has been a decline in power, significance and sovereignty of the nation state. In turn, it is argued that nation states have 'lost control' of their borders and are thus no longer the crucial actors in immigration policymaking (Soysal 1994; Sassen 1996; Jacobson 1996)<sup>2</sup>. This may hold true for some migration streams, such as humanitarian immigration or family reunification, but given that the management and regulation of economic immigration policy continues to be determined primarily by the nation state, at least in Britain, this thesis employs approaches which focus on the domestic political arena.

The literature on immigration has been dominated by accounts from economists and sociologists that suggest (if only tacitly) that the nation-state and the institutions which comprise it are of secondary importance relative to international market forces and the personal networks which drive individuals to migrate (Castles 2004; Wright 2010). Yet what 'governments do matters a great deal' (Castles & Miller 2003, 94) in regards to explaining migratory movements. While immigration flows may not be wholly determined by states, the decision 'to accept or reject aliens has not been relegated to actors other than the state, and the infrastructural capacity of modern states has not decreased, but increased over time' (Joppke 1998, 267). Independently of other conditions, 'it is state actions with respect to borders that determine whether any international migration will take place' (Zolberg 1989, 205). In other words, without

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<sup>2</sup> Those adhering to the globalisation thesis argue that global constraints have forced states to accept immigration. The two major impediments on state sovereignty are said to be economic globalisation (Sassen 1996), and the rise of an international human rights regime (Soysal 1994; Jacobson 1996). As a result of these constraints, various authors have conceded that nation states cannot control immigration and subsequently nation states have 'lost control of their borders' (Bhagwati 2003; Sassen 1996). Whilst a global market economy and a prevalent human rights discourse palpably affect immigration flows, to suggest that states' are inactive in designing and regulating immigration is deterministic. This perspective is not only premised on a static notion of sovereignty (Joppke 1998, 267), it also implies that all migration types are unwanted (Castles 2004, 854).



nation-states and their associated apparatuses which define their borders, ‘there would be no such thing as international migration’ (Balch 2010, 4). The state still retains an active role in defining a liberal or restrictive immigration regime, and it is the state which ultimately decides who enters and resides legally, naturalizes and who can become part of the nation (Guiraudon & Lahav 2000, 167). Whilst economic and social forces are the necessary pre-conditions for migration to occur, ‘states must be willing to accept immigration and to grant rights to outsiders’ (Hollifield 2004, 885) in the first instance, thus policies themselves clearly have a significant role in shaping patterns and flows of immigration (Meyers 2000). It makes sense then that we would seek to understand the factors which drive states to formulate their immigration policies in the way they do.

Immigration policies in labour-importing countries have been said to be converging (Cornelieus et al. 2006) and a wide range of explanations have been advanced to explain such convergence (Meyers 2002), but these often overlook the policy process itself. Analysis of immigration in political science has been particularly attentive to the challenges immigration poses to the nation state (Joppke 1998; Hampshire 2013), but very few scholars have attempted to unpack the ‘black box’ of immigration policymaking. Immigration policymaking has long been an explanatory challenge for political scientists (Hansen 2002), partly because a myriad of factors and considerations shape policy outputs. According to Jupp (1993, 254), there is ‘no single “scientific” analysis that is likely to provide a complete model for the politics of immigration policy’, because any comprehensive analysis of immigration policymaking needs to consider a variety of determinants, including but not confined to: the economic rationale behind the regulation of immigration, the organised interests which seek to influence policy outcomes, the party political context, and the roles of and relationships between the bureaucratic agencies which devise and enact immigration policy (Jupp 1993).

This research seeks to contribute to our understanding of how and why governments construct their immigration policies in the way they do. Consequently, this thesis adopts a multiple lenses framework and draws on approaches which explain government action and political elite preferences to immigration. Three approaches – organised interests, party politics and historical institutionalism – were selected in order to understand the divergent objectives, drivers and considerations which influence the construction of

immigration policy. Whilst there is a degree of overlap between these perspectives (especially as each approach has several variants), the approaches fundamentally differ in terms of which sets of actors influence and determine the direction of policy: non-state actors, political parties and governmental actors respectively. By employing different lenses to the question of policy change, the thesis offers an account which recognises the multifaceted considerations of policymakers, as well as the complexity of the policymaking process.

The first approach applied – organised interests – looks to the role of non-governmental actors to explain policy change. The organised interests approach posits that immigration policy is a product of bargaining and compromise between government and interest groups. This position contends that governments have expanded economic immigration because organised interests try to force governments to adopt specific policies (Freeman 1995; Menz 2008; Caviedes 2010). The interest groups most commonly associated with immigration are employers and ethnic groups (the former of which is of particular relevance to economic immigration) who tend to support expansive policies. Central to this is the recognition that contemporary liberal states are capitalist states and are thus responsive to the demands of business (Hollifield 1992).

Gary Freeman commented over thirty years ago that migrant labour was, ‘not merely a temporary convenience or necessity, but a structural requirement of advanced capitalism’ (Freeman 1979, 3), and this remains the case. In lower-wage sectors migrants fill labour market shortages, in particular the so-called 3D jobs (dirty, dangerous or degrading) which indigenous populations are reluctant to do (Hampshire 2013, 11). At the other end of the scale, high-skilled immigrants have become imperative to fill skill shortages. The need for a mobile and flexible labour pool has intensified and in a globalised economy, where large transnational firms operate without borders, greater flows of intra-corporate transfers are inevitable. The dependence on immigration has also extended to the higher education sector, where non-EU students and their considerable tuition fee contributions are now integral to financing the system as a whole. In essence, ‘advanced capitalist states cannot afford – literally as well as metaphorically – not to solicit immigrants’ (Hampshire 2013, 12).

The organised interest approach contends that interest groups, especially employers in the case of economic immigration, will attempt to convince governments of the need for foreign labour and thus lobby governments for more expansive immigration policies. Accordingly, because these groups have more resources and are better organised than anti-migrant groups, governments respond to such mobilised demands as it is in their electoral interest to do so. Immigration policies are thus said to mirror the interests of those who can mobilise most effectively and/or have the most resources, and these tend to be those who stand to gain from expansive policies.

While those who adhere to the organised interests approach place primacy on the role of non-state actors, other authors contend that it is political parties which shape policy (Triadafilopoulos & Zaslove 2006; Bale 2008; Givens & Luedkte 2005). Stemming from a broadly elitist perspective, proponents of the “politics matter” school of thought (Imbeau et al. 2001, 1) argue that it is the political parties and the actors which comprise them which shape the political debate and ultimately determine policy. Political parties influence public policy both by translating public opinion into policies in exchange for support, and at times acting as agents of change on the basis of ideologies (Schmidt 1996, 155). This perspective argues that immigration policy is a product of partisan differences and/or party strategy.

The ‘parties-do-matter hypothesis’ (Schmidt 1996, 155) assumes that political parties have significant leverage to shape the political and public debate. Because political parties are office-seeking, they compete to “own” issues of importance to the public in order to maximize their vote share. Thus parties influence policy by translating public opinion into policies in exchange for support (Ibid). Accordingly, policy outcomes are a product of public preferences (and thus electoral strategy) and/or a reflection of a party’s ideology, although these are not mutually exclusive.

Whilst parties are office-seeking organisations they are also fundamentally configured by a set of defining ideas (in other words a party ideology), which provides a coherent package of principles and beliefs. This ideology, in principle, reflects both the party’s tenets and their core constituents concerns and thus acts as blueprint to guide party

action. Immigration is an ideologically divisive issue for established parties of the left and right as it ‘cuts across normal lines of political battle’, precisely because it relates to wider social issues such as ‘law and order, integration, employment and national identity’ (Lahav 1997, 382; Freeman 1979; Triadafilopoulos & Zaslove 2006, 32). Nonetheless, party ideology and the broad left/right spectrum persist in shaping elite preferences to immigration to some degree (Ireland 2004; Lahav 1997), and fundamentally while office-seeking may be the primary motivation for parties to change policy, the essence of party success entails an ‘achievement of a satisfactory trade-off between ideological introversion and electoral extroversion, between principles and power’ (Bale 1999, 7).

Essentially parties matter in explaining policy change because unlike organised interests ‘parties actually control the government’ (Burstein & Linton 2002, 385). If party ideology conditions political elite preferences, since it is these actors which ultimately direct and enact policy, we would expect this to be reflected in policy. Accordingly, it is political parties and the elites which constitute them, which condition the direction of immigration policy by way of channelling their ideology through policies, reflecting electoral preferences, competing with opposition parties to win voters and in turn structuring the political debate on immigration.

In contrast to those who focus on party political interactions, a third perspective looks to the state itself and the institutions which comprise it to explain government decisions on immigration policy. New institutionalism “brings the state back in” by focusing on how administrations and bureaucracies shape immigration policy. The new institutionalist school claims that political institutions can be autonomous, and it is therefore these apolitical (in partisan political terms) institutions which form immigration policy according to the interests of the state. These emphasise the way in which actions of individuals exist within the context of the rules and norms of institutions (March & Olsen 2006). According to Boswell (2007, 79) there are two features of a definition of the state necessary for a neo-institutionalist analysis. The first is that the state cannot be understood as a monolithic entity; there must be some disaggregation between a system of party politics and the administration or the state’s bureaucratic apparatus which determine the implementation of policy. Secondly, there must be conceptual space which allows for the possibility of the state having ‘preferences which are not reducible

to some matrix of societal interests' (Boswell 2007, 79). The autonomy of preferences could stem from the interest of the administration in securing legitimacy and/or the organisational dynamics and interests of different state departments.

One variant of new institutionalism, historical institutionalism<sup>3</sup>, is particularly pertinent for explaining state decisions with regards to immigration policy, because immigration policy is so often a product of policy legacies (Wright 2012) and made and framed on the basis of long-held, embedded ideas about the objectives and ideal approach to the regulation of immigration (Hay 2006; Béland 2005; Hansen 2000). This approach argues that immigration policy is often a product of past political decisions – both in terms of the ideas structuring policy and more technical elements such as legislation – which constrains future action and thus create a path-dependent effect on policy (Hansen 2000).

Drawing from a 'cultural' understanding of human agency (Hall & Taylor 1996; Hay & Wincott 1998), historical institutionalism postulates that the agencies, bureaucracies and departments which make immigration policy are built on ideational foundations – that is the initial construction of institutions are built on ideas – and subsequently these institutions develop ideas and framings on the policy areas within their remit in a fairly autonomous manner, 'screened from political pressure' (Boswell 2007, 83). Through processes of normalization and socialisation, certain ideas and framings become embedded in these institutions which serve as cognitive filters through which actors come to interpret their environment. Crucially, the historical institutionalist is concerned with how, under certain conditions, such institutionalised ideas and paradigms, such as an established policy frame of immigration, are contested, challenged, and replaced (Hay 2006, 65; Berman 1998). For the historical institutionalist, it is the state and the institutions which comprise it which shape immigration policy.

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<sup>3</sup> Other variants of new institutionalism use ideas in a similar vein, such as constructivist institutionalism (Blyth 2002; Hay 2006), discursive institutionalism (Schmidt 2010), or sociological institutionalism. For the sake of clarity, this thesis employs the term historical institutionalism which will be discussed in detail in chapter three.

In some ways these approaches offer ‘self-contained “worlds” from which to view the policy process’ (John 1998, 16), although they can work to complement each other. Organised interests focus on the associational relationships between non-state actors and government. The politics matter school of thought places primacy on the party composition of government, and the preferences and interests of party actors. Historical institutionalists examine the norms and habits of policymaking in different policy sub-systems. Although these approaches are in ‘dialogue with each other’, they are also ‘self-referential paradigms based on assumptions about the possibilities of human agency, the effect of structures, the meaning of power and the nature of the state’ (John 1998, 17). Fundamentally each approach assumes that a different set of actors dominate and control the policy agenda – non-governmental actors, political parties and institutional actors respectively – and each stresses different causal mechanisms at play in policy change. The thesis applies each approach to the case of immigration policy under the Labour governments, and examines the explanatory power they hold.

### **1.3 Plan of the thesis**

The thesis is organised as follows. Chapter two introduces the three theoretical approaches this thesis applied in detail and addresses some key issues of defining policy change. The chapter explores the core explanatory argument of each approach, reviews the literature in terms of the application of each approach to explaining the formation of immigration policy, and presents the methodology and research design employed to investigate the research question.

Chapter three presents an overview of the case study, and provides a detailed account of Britain’s immigration policy. Drawing on archival research and other academic studies, the chapter summarises Britain’s post-war immigration policy through the 1960s, 70s, 80s, and 90s. Through extensive document analysis the chapter goes on to provide a comprehensive narrative of the policy reforms under the Labour administrations.

Chapter four examines the role of non-governmental actors; taking an organised interests lens the chapter examines whether policy change was a result of interest groups lobbying the government for expansive policies. The chapter explores the ways in

which non-state actors, such as employers and employer associations, unions, sectoral interest groups, and think tanks, did or did not influence immigration policy in the period 1997 to 2010. The chapter provides a chronology of the actions of these interest groups, including where they attempted to lobby the government on immigration policy, and the types of strategies they employed. By drawing on elite interviews, the chapter provides a first-hand account from the selected non-state actors as to their motivations behind any lobbying activity on immigration policy.

Chapter five considers the party political context and explores whether party ideology, intra-party change and party competition shaped immigration policy in this period. The chapter focuses on how the ideas of the governing party changed, and the impact this had on the immigration policy preferences of the political elite. Relatively few scholars have examined how party ideology shapes immigration policy, and this research seeks to fill this gap by analysing how Labour's ideology changed the preferences of the leading political elite. The chapter also considers the constraints facing the Labour government in implementing such policies. The chapter thus examines the role of the opposition parties in this narrative of policy change such as how party positioning and the rhetoric on immigration espoused by opposition parties did or did not influence immigration policymaking in this period. The chapter also considers the degree of intra-party division on such reforms and whether this constrained government action.

Chapter six adopts a 'culture' understanding of historical institutionalism (Hay & Wincott 1998), and considers the role of government departments, and the policymaking process itself. The chapter does this by examining the administrative context of immigration policymaking, analysing the processes of policymaking, such as which departments were involved, how immigration was framed, and how entrenched institutional cultures did or did not influence immigration policy. The chapter also considers whether changes to the machinery of government – including an initiative for joined-up government and evidence-based policy – had an impact on immigration policymaking. The multifaceted nature of immigration and the divergent streams of migration have a bearing on many types of policy. Yet, to the best of my knowledge, no scholar has attempted to analyse how different policy subsystems' impact (or not) on immigration policy. This chapter delves into the 'black box' of policymaking, and gives

insights into the conflicting objectives which inform government decisions on economic immigration policy.

Chapter seven concludes the study by summarising the findings from the three empirical chapters, and reflecting on the utility of the three approaches employed for explaining policy change. The chapter considers complex causality and provides an overarching explanation for this case of policy change, outlining the necessary conditions, ideas, and context which gave way to a shift in the policy framing of immigration. The chapter goes on to offer explanatory insights for scholars of policy change. The chapter concludes with a comment on whether the policy transformation was an exceptional deviation in British politics, or whether the reforms have had an enduring impact and lock-in effects on the way immigration policy is now made.



## Chapter 2

# Theoretical and methodological framework: interests, ideas and institutions

### 2.1 Introduction

As seen in chapter one, the aim of this study is to explain how and why the Labour governments liberalised economic immigration policy in Britain. The objective of the study to explain how the black-box of policymaking operates, to examine the role of the different sets of actors involved in immigration policymaking, and understand how the interactions between interests, ideas and institutions shape immigration policy, and in turn cause policy change. It is therefore necessary to develop an understanding of how different sets of actors, such as non-governmental actors, political parties and civil servants, are said to influence policy, and establish the conceptual and analytical tools to examine how interests, ideas and institutions can prompt policy change.

Since the 2000s, there has been a ‘rapidly expanding literature which explores immigration policies of individual receiving states’ but there has been ‘little debate on the relative merits of various schools of thought on the subject’ (Meyers 2000, 1245). Scholars diverge as to what drives immigration policies in particular directions and which actors influence such processes. Three approaches which explain government action and political elite preferences to immigration have come to dominate the field in political science: interest group, partisan politics and institutionalist approaches. The interest group or organised interests approach argues that non-governmental actors lobby and persuade governments to adopt specific immigration policies. Partisan politics places the onus on the role of political parties, their electoral strategy and their ideological disposition, as explanations for policy outcomes. In contrast, the institutional approach ‘brings the state back in’ as an actor, and argues that it is the institutions of policymaking which determine policy. Whilst there is a degree of overlap between these perspectives (especially as each approach has several variants), the approaches fundamentally differ in terms of which sets of actors determine the direction

of immigration policy: non-state actors, political parties and governmental actors respectively. In turn, the three approaches have different assumptions about how power is distributed across the state. This thesis draws on these approaches and examines the explanatory power each holds in the case study.

The aim of this chapter is to provide an overview of the three main approaches adopted in this study, including summarising any existing literature which employs the given approach to the study of immigration policy. The point is not to give an in-depth and exhaustive account of each approach. The intention is rather to supply the logic and framework within which this research is situated and set-out the research design and methodology of this study. The chapter will begin by outlining the definition of policy change employed in this research.

### ***2.1.1 Defining policy change***

In order to explain why policy change occurs, it is necessary to first define what is meant by policy change. Public policy scholars draw a broad distinction between normal change and atypical change. Streeck and Thelen (2005, 8) also make a comparable distinction between ‘incremental’ changes on the one hand and ‘abrupt’ changes on the other. Normal policy change, ‘involves relatively minor tinkering with policies and programs already in place through successive rounds of policymaking, which results in new policies being “layered” on top of existing ones’ (Howlett et al. 2009, 202). Normal policy change is thus incremental and does not challenge existing policy paradigms. This being said, collectively these normal changes can affect the consistency of a policy regime (Ibid). More exceptional and thus subject to scholarly research is atypical change. Atypical policy change involves ‘changes in basic sets of policy ideas, institutions, interests and processes’ (Ibid). It is precisely because these major changes fundamentally conflict with the impediments of previous policy legacies which make such changes infrequent.

Similar to the distinction between normal policy change and atypical policy change, Peter Hall (1993) disaggregates policymaking into three orders of change in his influential study of economic policymaking in Britain in the 1970s and 1980s. Hall suggests that policymaking ‘involves three central variables: the overarching goals that guide policy in a particular field, the techniques or policy instruments used to attain

these goals, and the precise settings of these instruments' (Hall 1993, 278). Building on these variables, Hall identifies three types of policy change:

First and second order change can be seen as cases of "normal policymaking," namely of a process that adjusts policy without challenging the overall terms of a given policy paradigm...Third order change, by contrast, is likely to reflect a very different process, marked by the radical changes in the overarching terms of policy discourse associated with a "paradigm shift." If first and second order changes preserve the broad continuities usually found in patterns of policy, third order change is often a more disjunctive process associated with periodic discontinuities in policy (Ibid, 279).

First order changes refer to amendments to policy settings, such as adjusting tax rates. Second order changes denote alterations to the instruments of policymaking, such as the use of cash limits. Third order changes indicate shifts in the 'underlying assumptions and ultimate goals of policy itself', for example growth rather than unemployment (Freeman 2008, 375). While first and second order changes are largely technocratic affairs, third order changes can be a much 'broader affair subject to powerful influences from society and the political arena' (Hall 1993, 288). Of particular importance in Hall's framework is the way 'in which a paradigm serves to make sense of the world, to identify certain phenomena as problematic, and to suggest certain courses of action in response to them' (Freeman 2008, 375). Hall's differentiation proves the most useful for this thesis, as it serves to distinguish atypical or third order policy change from changes to the instruments of a policy regime. This research focuses on a third order change as the objectives, framing and political discourse of the policy in question were transformed. These terms will be used throughout the thesis to refer to the overall shift in ideas and objectives of economic immigration policy, otherwise known as 'managed migration'. The chapter now outlines the three approaches adopted in this study.

## **2.2 Organised interests: non-governmental actors and policy networks**

One influential approach to policy change examines the role of organised interests; groups that seek to influence the public policy agenda and policy outcomes without competing for electoral office. Organised interests matter because accordingly organised interests are said to set the policy agenda; they try to influence legislative and executive decisions, they often participate in the decisions concerning the implementation of policy and regularly implement the policies themselves (John 1998, 66). The approach posits that immigration policy is a product of bargaining and compromise between

government and interest groups, and thus it is argued that policy change occurs as a result of organised interests pressuring government to change policy.

The approach stems from the pluralist tradition, which assumes that groups rather than individuals are crucial to understanding politics. In contrast to Marxist and elitist perspectives, pluralism assumes that in liberal societies there is a dispersal of power (Smith 1993, 36). Despite a myriad of critiques over the last century, the pluralist tradition remains strong and has reinvigorated itself over the past decade in a range of fields, including a notion of governance; the fundamental premise of which is that the central state is no longer the dominant force in determining public policy (Ibid, 31).

Yet pluralism has attracted much critique because it ‘pays little attention the nature of the state and even less to state theory’ (Smith 2006, 21). The state is usually seen as a monolithic, benign and neutral organisation, and this assumption means that pluralists have failed to examine how ‘the state contains considerable power that often is not used for benign ends or distributed evenly between groups’ (Smith 1993, 37). Taking the debate of power and the state as a starting point, Theodore Lowi (1964) suggested that both elitist and pluralist perspectives did not accurately describe power and public policymaking because ‘both these schools mistake the resources of power for power itself’ (Lowi 1964, 679). In response Lowi proposed a scheme to analyse public policymaking based on the proposition that relationships are determined by their expectations. Building on this proposition, Lowi argued that expectations are conditioned by governmental policies and therefore a political relationship is determined by the type of policy at stake. Consequently Lowi claimed that ‘for every type of policy there is likely to be a distinctive type of political relationship’ (Lowi 1964, 688).

Similarly to Lowi, James Q. Wilson (1980) challenged the assumption that ‘federal politics were essentially legislative politics, dominated by political parties and carried out more or less in an arena of clearly competing interests’ (Ibid, viii). He contended that ‘the ambitions of bureaucrats are reinforced by the electoral needs of congressmen and the private claims of interest groups’ (Ibid). Against the notion that government officials are selfless, altruistic individuals, Wilson argued that officials respond to rewards much like businessmen and consumers (Ibid, 361). Consequently, Wilson

suggested that policy proposals are assessed in terms of their perceived costs and benefits. The political significance of costs and benefits arise out of their distributional impacts. In other words the distribution of consequences affects the incentive to form political organisations and engage in collective action (Ibid, 366). These costs and benefits can be widely distributed or narrowly concentrated.

The American federal system, on which Lowi's and Wilson's research is based, offers multiple avenues for interest groups to lobby government, and thus arguably non-governmental influence is perhaps more prevalent than in comparison to majoritarian systems such as Britain. Nonetheless, since the 1990s there has undoubtedly been a surge in non-governmental actors involved in policymaking in Britain – which partly constitutes the turn to governance<sup>4</sup> – and this has led to an academic interest in how non-state actors form networks and influence public policy. Looking specifically at the role of policy networks in British policymaking, Rod Rhodes proposed a Policy Network Analysis model (1986; 1997). The model claims that when the network structure of a policy sub-system alters, policy change may occur, such as when new actors are integrated into a policy network. The potential degree of policy change is determined by how much conflict or consensus a policy network has. For example, in a tightly knit policy community conditioned by value consensus, policy change is expected to be only incremental. However, critics have claimed that the network approach does not have explanatory value, or as Dowding has argued it is a 'metaphor rather than a model' (Dowding 1995). Change is ultimately explained with reference to the ideas that new actors bring into the network, or exogenous changes which impact on the policy subsystem. In other words, 'they [network approaches] fail because the driving force of explanation, the independent variables, are not network characteristics per se but rather characteristics of components within the networks' (Ibid, 137).

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<sup>4</sup> Governance is used here to refer to the surge in policy networks which are said to have replaced the traditional hierarchy as the dominant mode of governing. These networks have, according to Rod Rhodes (1997), formed as an unintended residual from neoliberal policies, which 'aimed to establish the minimal state, marketization and the new public management' (Bevir & Rhodes 2001, 5). The surge in policy networks has been a result of a variety of processes which have fundamentally changed relations between the state and civil society, primarily the growth of non-governmental organisations, globalisation and processes of devolution (Bevir & Rhodes 2003, 54). In turn, numerous explanations of policy change have focused on the role of policy networks and the way in which actors mediate and interpret this network.

### **2.2.1 Policy context: organised interests and immigration policy change**

Drawing explicitly on the work of Lowi and Wilson, the most significant account of how organised interests influence immigration policy was proposed by Gary Freeman (1995; 2006). Freeman argued that it is the absence of well organised anti-migrant groups which drives policy in a specific direction. His theory seeks to explain specifically why states adopt expansive immigration policies in the face of anti-migrant public discourse, otherwise known as the ‘gap hypothesis’ (Cornelius et al. 2006).

In terms of influence, Freeman (1995) suggested that pro-migrant lobby groups are better organised than anti-migrant groups. Political elites respond to such mobilised demands, which lead to immigration policies which are surprisingly expansive. Drawing on Wilson’s and Lowi’s frameworks, Freeman (2006) constructed a model which predicts how involved and influential interest groups are in immigration policymaking depending on how distributive or concentrated the costs and benefits of particular policies are (Ibid, 229). According to Freeman, the benefits and costs of migration policies can be diffused or concentrated, resulting in four different modes of politics – client, majoritarian, interest group and entrepreneurial. In this model, if benefits are concentrated and costs are diffused, clientelistic politics will prevail; where small groups have a particular incentive to organise, and the wider public are indifferent or believe they will be unaffected by the resulting policy direction. Immigration policies are consequently said to mirror the interests of those who have the most resources, and these tend to be those who stand to gain from expansive policies. According to Freeman, the principal beneficiaries of immigration are: employers in labour-intensive industries and those dependent on an unskilled workforce, businesses which profit from population growth such as the construction sector, and the families of those making up the immigration flows.

Georg Menz (2008) in his comparative study of labour migration policies extended and refined Freeman’s theory in terms of the positions interest groups take on labour migration. Menz suggested that employers will not simply push for more liberal policies. Rather the ‘production system in which they [employers] are embedded conditions the quality and quantity of labour migration advocated’ (Ibid, 8). In contrast to Menz, Alexander Caviedes (2010) argued that ‘changes in the overall structure of the

labour market have led to changes in employer preferences that differ to a large degree depending on sector' (Ibid, 2). Cavedes suggested that rather than an overarching model of capitalism determining employers' preferences, the real determinants of employers' preferences to immigration entail a 'sector-specific logic' (Ibid, 3).

Examining UK immigration policy specifically, Will Somerville (2007) and Somerville and Goodman (2010) explored the role of organised interests under the Labour governments of 1997-2010. Drawing on Rod Rhodes' (1986) distinction between issue networks and policy communities, Somerville and Goodman suggested that businesses and private sector interests were akin to a policy community underpinned by a high degree of consensus. The authors divided the organised public into five nodes comprising individual businesses and employers, legal associations, committees/lobbying groups, think tanks and the government. Somerville and Goodman (2010) argued that non-governmental actors comprising the policy network of labour migration had a substantive impact on economic immigration policy and that such actors were responsible for the policy change. However, including the government as an actor in an analysis of how the organised interests influence policy seems erroneous, given that the government enact policy, and government departments represent a very different set of actors.

Conversely, Statham and Geddes (2006) found that immigration policymaking remained dominated by political elites in Britain. These elites act relatively autonomously and have their own political agenda (Ibid, 266). Statham and Geddes examined the multi-organisational field and considered whether collective action influenced immigration policies towards expansion or restriction, with a focus on the asylum sub-policy field specifically (Ibid, 249). Their findings concluded that immigration policymaking in the British context was elite-driven and that Freeman strongly overstates the power of the organised public relative to national political elites (Ibid, 266). While Statham and Geddes' research is based on the asylum policy field rather than the economic immigration sub-system, their findings imply that Freeman's theory may not be applicable in the British context.

Another scholar who has examined the case under study here through a networks perspective deserves mention. Alex Balch (2009; 2010) adopted Haas's (1992)

epistemic communities model to analyse the case of economic immigration policy change under Labour. Epistemic communities are defined as networks of professionals with recognised ‘expertise and competence in a particular domain’ (Haas 1992, 3). This is comparable to John Kingdon’s (1995) concept of the ‘policy primeval soup’ where ‘policy entrepreneurs’ including policy experts and non-government actors congregate in specific policy sub-systems to offer policy solutions to policy problems. The epistemic communities model argues that ‘consensual knowledge’ – which is defined as knowledge produced using certain scientific norms (Haas 1992) – crucially supplies policymakers with causal connections between ideas and policy application and this knowledge is more likely to be produced by epistemic communities. Balch’s analysis focused on how experts and knowledge exerted influence on policy, rather than the influence of the business community or the third sector, but his analysis nonetheless found a determinative role for non-state actors. Balch argued that the policy shift was a result of ‘a specific network of actors in the policy community, operating as an epistemic community, [which] dislodged the dominant restrictive policy paradigm or frame, and opened the debate around policy’ (Balch 2009, 628). The principal determinant of policy change for Balch then was the network of ‘experts’ which provided new knowledge and thus ideas.

While the policy network approach, the epistemic communities model on which Balch draws, and the political economy models of Menz and Caviedes all differ in how and why non-state actors influence policy, all three models attribute a significant role to non-state actors in policy change, indeed they place primacy on them. These can be grouped and are referred to hereon in as the organised interests approach.

Chapter four will examine the role of organised interests in immigration policymaking under Labour using Freeman’s model as a framework. The chapter pays particular attention to the ways in which non-governmental actors attempted to influence policy. If the organised interests approach has explanatory power in the British context of immigration policy change, we would expect to see lobbying from non-state actors in the late 1990s and early 2000s. In particular, one would expect employers and employer associations (especially those representing sectors experiencing labour market shortages) to have lobbied reasonably forcefully for more expansive economic immigration policies. In response, so the organised interest theory goes, the Labour



governments responded to these mobilised and well-articulated demands to gain electoral support, whilst ignoring the inarticulate anti-migrant public.

### **2.3 Do parties matter: political parties and party ideology**

An alternative explanation for policy change is associated with the party configuration of government. According to the ‘parties-do-matter’ hypothesis, the ‘major determinant of variation in policy choices and policy outputs in constitutional democracies, is the party composition of government’ (Schmidt 1996, 155). Stemming from an elitist perspective, those who adhere to the ‘parties-do-matter’ (Ibid) view argue that political parties and the actors which comprise them have their own agenda and ultimately determine policy according to their partisan interests. Parties, in terms of party strategy and party ideologies, are thus said to matter in shaping and formulating policy. Without denying the importance of external constraining factors on political action such as socio-economic factors, ‘advocates of the “politics matter” school of thought argue that there is a correlation between partisan variables and policy outputs’ (Imbeau et al. 2001, 1). Proponents of the ‘partisan hypothesis’ assume then that there is a ‘law-like tendency of partisan differences in public policy’ where differences in public policy are ‘significantly associated with – and, by inference, dependent upon – differences in the party composition of government’ (Schmidt 1996, 156). In turn, ‘a change in the party composition of government is associated with – and, by inference, causally related to – changes in policy choices and policy outputs’ (Ibid).

Political parties are distinct from interest groups as they act as the official representatives of the public, compete in elections for public office, and ‘unlike interest groups, parties actually control the government’ (Burstein & Linton 2002, 385). The actors which comprise parties – political elites – are ultimately the ones who enact policy and are capable of fostering policy change. Political parties constitute a set of actors which influence policy both by translating public opinion into policies in exchange for support, and at times acting as agents of change on the basis of ideologies (Schmidt 1996, 155). Accordingly, policy outcomes are a product of public preferences (and thus electoral strategy) and/or a reflection of a party’s ideology, although these are not mutually exclusive.

Commentators and scholars often talk of the ‘end of ideology’ (Bell 1962), claiming that party politics is now predominantly associated with the art of ‘statecraft’ (Bulpitt 1996), which is ‘to do with winning elections and being able to govern effectively, particularly in the matters of “high politics”’ (Kavangh et al. 2006, 78). The old battles between left and right are said to have ‘declined in range and intensity, as has the divisions between social classes’ (Ibid, 76), which has led to ‘catch-all parties’ (Kirchheimer 1966). As a result, scholars who study parties have tended to focus their attention on how parties ratify their policies in line with public preferences, on the calculation that parties are office-seeking and thus vote-maximizers, and rarely pursue ideological purity over electoral expediency. Analyses of the relationships between parties and their policy proposals have therefore been dominated by spatial approaches to party competition and party strategy (Downs 1957). It is in part through the party competition of office seeking that parties change policy in order to win public votes.

Policies which are at odds with public preferences however, such as liberalising immigration policies in the face of anti-migrant or at least protectionist public preferences, cannot be explained by party strategy. Moreover, the essence of party success is not solely winning office but is rather the ‘achievement of a satisfactory trade-off between ideological introversion and electoral extroversion, between principles and power’ (Bale 1999, 7). Therefore this research focuses on the ideas, philosophies and values of the governing party as an explanation for policy change, the assumption being that such ideas will be reflected in public policies, such as immigration. However, for ‘ideas to have an impact they have to interact with other favourable conditions’ (Kavangh et al. 2006, 78), such as the willingness of leading actors to be attracted by the ideas and push them, and circumstances or dissatisfaction with the existing set of policies.

Party ideologies ‘provide politicians with a broad conceptual map of politics into which political events, current problems, electoral preferences and other parties’ policies can all be fitted’ (Budge 1994, 245). Ideologies thus provide political elites with a cognitive guide or blueprint for how to respond to social issues and problems, based on some underlying values, principles and crucially prescriptive ideas about how society should operate. The party’s core identity is in other words an ‘ideological resource pool which it can use to make claims over issues, and distinguish its stance from other parties’

(Statham & Trenz 2013, 113). These are not binding frameworks however; ideologies rather supply parties with a way of

indicating the broad area within which a particular party should take its position [which are] sufficiently ambiguous to permit some movement within the prescribed area, particularly if this simply involves the adjustment of policy priorities within the ideology itself rather than abandoning previously prescribed positions (Budge 1994, 246).

Many studies treat ideologies as ‘reified objects based on static values, concerns and debates’ (Bevir 2000, 279). Yet party ideologies are not fixed entities, they are rather a contingent set of ideas in which no value or identity has a fixed, central or defining place. Ideologies are, as Micheal Freeden (1996) puts it ‘morphological’, constantly adapting and modifying according to the political context in which they are embedded. Ideologies consist of ideas and practices which people produce through their actions (Bevir 2000, 280), and because ‘the evidence for political thinking is unobservable...its reflection must be sought in acts – expressions of writing, of doing’ (Freeden 1990, 11), such as in party manifestos, and political rhetoric. Because of the methodological limitations of determining the influence of party ideology, Bevir (2000, 282) argues that scholars should adopt a decentred approach to the study of ideology, and in doing so they

should trace historical connections back through the immediate influences on the case we are explaining to the beliefs and practices that constitute the inheritance of the influences. By doing so, we would not define ideologies in terms of a given content – whether perennial or contingent and historicist – but, rather, pragmatically in relation to that which they explain.

However, it would be a simplification to suggest that ideology commands or dictates political elite action. As Szczerbiak and Taggart (2008, 257) argue, ‘it is not possible to ‘read off’ a party’s position from whatever ideological family it belongs to’, in part because as above-mentioned parties are primarily office-seeking but also because parties do not operate autonomously. Governing parties can and do face constraints from within the party and in terms of external competition from other parties. Parties seek to “own” issues of importance to win votes, and in doing so opposition parties ‘help to cue, channel and even ramp’ issues up, such as immigration (Bale 2008, 454). Therefore, governing parties face constraints from opposition parties who may coerce them into shifting or co-opting their rival’s policies in a bid to maintain office. It is rare to see a government defeated by its own members, but nonetheless MPs can and do

collectively rebel and in turn potentially block policy. Parties are rarely consensual homogenous organisations; they are rather prone to division, rebellion and factionalism. Thus governing parties can also face internal constraints in implementing policy.

The constraints and laws of the political market suggest that party differences in public policy will be moderate, with radical differences being the exception rather than the rule (Imbeau et al. 2001). Despite the perhaps eroding influence of party ideologies in Western Europe, highly centralised states such as Britain are, ‘in principle more amenable to partisan influences on public policy than states in which the government is constrained by counter-majoritarian powers such as federalism’ (Schmidt 1996, 170). While the influence of party ideologies may well be deteriorating, the conduct of democratic politics is inconceivable without parties, and thus party ideology and party competition persist in playing some role in shaping public policy (Kavanagh et al. 2006, 350).

### ***2.3.1 Political parties and the politics of immigration***

Immigration is an ideologically divisive issue for established parties of the left and right as it ‘cuts across normal lines of political battle’ (Lahav 1997, 382). There is no prescribed or evident approach to immigration policy for centrist parties (Hinnfors et al. 2012; Odmalm 2014), and some scholars have gone so far as to say that immigration represents an issue ‘equated with the demise of ideology’ (Lahav 1997, 382). Unlike most political issues where ‘programmatic distinctions among parties serve to organise political debate and ultimately policy solutions’, with immigration ‘the process has not been so clear’ (Ibid).

Kriesi et al. (2008) argued that the effects of globalisation and denationalization have created a division between ‘winners’ and ‘losers’ in Western Europe. Winners are ‘people who benefit from new opportunities resulting from globalisation, and whose life chances are enhanced’ (Ibid 4). In contrast, the ‘losers’ ‘are people whose life chances were traditionally protected by national boundaries. They perceive the weakening of these boundaries as a threat for their social status’ (Ibid). Kriesi et al. (2008) argued that globalisation has led to a transformation of the cleavages which hitherto structured electoral competition. Through an emphasis on cultural issues such as immigration and

European integration, Kriesi et al. contend that the traditional focus of the political debate – the economy – has been reinterpreted in this new political cleavage. The cultural dimension ‘is now dominated by the issues of immigration, of cultural liberalism and European integration’ (Lachat & Kriesi 2007, 4), ‘which correspond to the new political and cultural forms of competition linked with globalization’ (Ibid, 5). Thus, according to Kriesi et al., as a result of globalisation immigration is now an issue equated with the new cultural dimension.

Immigration poses an ideological problem for the centre-right since part of its *raison d’être* is to defend the socio-economic and cultural status quo which immigration is seen to challenge (Bale 2008). The centre-right “owns” policy issues akin to law and order and national security, which immigration is presumed to threaten. Because centre-right parties unambiguously offer restrictive policies to minimize such threats, the centre right is in turn said to “own” the issue of immigration (Green & Hobolt 2008). Centre-right parties are rooted in a relatively strong notion of national identity which is often sketched around tradition and historical legacy (Baker et al. 2002, 402). Consequently, centre-right parties tend to politicize immigration by focusing on questions of national identity and the challenge that immigrants pose to this (Schain 2008, 467).

Yet fundamentally immigration prompts tensions between the ‘identity right’, the ‘paternalistic right’ and the ‘business right’ for centre-right parties (Bale 2008). These tensions are particularly pertinent in the British case, where ‘the Tories have been deeply divided between English nationalists and free trade internationalists’ (McLean 2001, 144), and this problem is especially acute for the neoliberal New Right, given that ‘free trade would logically entail free movement of workers’ (Smith 2008a, 420).

Likewise immigration is a divisive issue for the centre-left. On the one hand, parties of the centre-left tend to support immigration because ‘they defend a universalist position of solidarity with often marginalized and oppressed communities’ (Keith & McGowan 2014), and because in turn migrants are seen as a source of working class support. Subsequently one would expect left parties to treat ‘vulnerable and exposed groups such as refugees and immigrants’ with ‘open, generous and solidaristic means’ which ‘sit comfortably with social democratic foundations’ (Hinnfors et al. 2012, 589). On the other hand, parties of the left have often supported restrictive and exclusionary policies

for two reasons. Firstly, employers have in the past used migrant labour to suppress wages and break strike movements. Secondly, the reaction to immigrants by native working class voters has often made left parties electorally vulnerable (Schain 2008). Furthermore, as Odmalm and Bale (2015 forthcoming, 5) note, in the long run “uncontrolled” immigration could potentially create ‘a new – ethnic – underclass and accordingly split the indigenous vote’. Immigration confronts centre-left parties with two contradicting ideological pulls then – ‘international solidarity versus welfare state/labour market protectionism’ (Odmalm 2011, 1071). And like the centre-right, the far right poses a problem for the centre-left, as the populist far right have mobilised immigration and targeted the centre-left’s traditionally core constituents (Ford & Goodwin 2010). In response, social democratic parties can hold their position, adopt a tougher rhetoric on immigration or attempt to defuse the saliency of the issue by emphasising other matters (Bale et al. 2010).

In consideration of the contradicting ideological pulls immigration presents (Odmalm 2014), centre parties across Western Europe have unsurprisingly tended to ‘downplay the issue, because of the cross-cutting cleavages that affect their core constituencies’ (Perlmutter 1996, 377). Immigration not only divides social constituencies for both the centre-left and the centre-right it ‘is as likely to divide one’s own party as one’s opposition’ (Ibid). This defusing of immigration and race politics has traditionally led to party convergence or a “hidden consensus” made in order ‘to include mass parties’ interest in not alienating important constituencies and internal factions, precluding the rise of racial tensions, and maintaining relatively liberal positions despite negative perceptions regarding immigration held by the majority of the population’ (Triadafilopoulos & Zaslove, 2006, 171). Yet ignoring the issue or in other words the defuse strategy (Bale et al. 2010) can lead to the populist radical right hijacking the political space and offering the electorate restrictive policy solutions which chime with public preferences. Ultimately the ideal strategy is to achieve a balance ‘between emphasising policy strengths and engaging with immigration so it does not bring the conflicting ideological “pulls” to the fore’ (Odmalm 2011, 1084).

Despite political attempts to defuse immigration, partisan ideologies still shape elite preferences, and policy outputs to some extent, although party ideology is surprisingly overlooked in the literature on parties and immigration (Hinnfors et al. 2012, 588).

Givens and Luedkte (2005) amongst others (Money 1999; Ireland 2004) found that partisanship plays a role in integration policy, but that 'Left parties are no less restrictive than Right parties on immigration control' (Ibid, 16). Money (1999) suggests that parties on the left are more likely to pass expansive integration policies, as this will extend immigrant rights including voting rights. Thus expanding integration policy is argued to be a strategy to mobilize potential voters. However, parties of the centre-left cannot afford to be liberal in terms of immigration control policies, as short-term public backlash could offset any future gains from an expanded immigrant electorate. Money's account suggests that party affiliation only plays a role in terms of electoral strategy, rather than fundamental ideological differences.

Conversely, other scholars have suggested that partisan ideology does play a role in shaping elite preferences to immigration policy. For example, Ireland (2004) in his case study of German elite preferences concludes that a portion of the centre-left party was ideologically committed to cultural pluralism. Lahav (1997, 401) in her study of MEP attitudes to immigration also shows that 'although the immigration issue has appeared to obscure ideological/party differences, party affiliation persists in differentiating attitudes towards immigration'. She goes on to suggest that 'the left-right constructs order preferences in a way that partisans of the left are more likely than their colleagues on the right to endeavour to amend social inequalities and to extend immigrant rights' (Ibid). According to Lahav, party ideology does matter in shaping political elites' preferences to immigration, to the extent that it 'continues to shape the dialogue on immigration intake, and educate the public to the various policy dilemmas and goals' (Ibid, 401). Hinnfors et al. (2012) similarly found that party ideology rather than electoral strategy explains the Swedish Social Democratic Party's response to immigration. They argue that 'room must be made in explanatory narratives for the role of party ideology' (Ibid, 586-7). Given that political elites direct and enact policy, if their preferences are shaped by party ideologies we would expect this to be at least somewhat reflected in policy.

The contradictory ideological pulls which immigration presents, combined with the saliency of the issue in the first instance, irreducibly pushes parties of the left or right to pursue or maintain restrictive immigration policies. With a public and mass media hostile to immigration, the rising politicization of immigration and the ideological

challenges established parties must confront, it would always be easier and electorally logical for a centre-left party to maintain the status quo of restrictive immigration policies. After all, ‘in no Western European country can politicians or political parties gain votes by favouring new immigration’ (Lahav 1997, 382). Confronted with these issues makes the expansionary reforms all the more puzzling. However, the literature on parties and immigration has been dominated by a lens which sees parties as simply vote-maximizers, and thus analysis has focused on electoral strategies (Bale et al. 2010), party competition (Odmlam 2011) and the threat from the emerging populist radical right (Mudde 2014). Party ideology on the other hand has been neglected as an explanatory factor for why parties formulate their immigration policies in the way they do, especially for social democratic centre-left parties which have been somewhat overlooked in the literature (see Hinnfors et al. 2012 and Odmalm 2014 forthcoming for exceptions). This is perplexing and especially pertinent to this case study, as New Labour’s ideology had a discernible impact on many other policy areas, including economic (Watson & Hay 2003), education (Cole 1998) and health (Harrison 2002). This research seeks to contribute to this gap by analysing how the governing party’s ideology did or did not shape immigration policy.

If ‘parties-do-matter’ (Schmidt 1996), we would expect the governing party ideology to exert an influence on the immigration policy preferences of the leading elite. Proving that party leaders have been affected by any one factor is a methodological challenge, but by adopting a decentred approach to the study of ideology, the historical tenets and evolution of the Labour Party can be mapped on to the shifts in the Party’s immigration policy. We would also anticipate that party competition to “own” the issue, and conceivably internal divisions within the governing party, possibly constrained government action and policy implementation. Chapter five examines whether the governing party’s ideology was reflected in immigration policy. The chapter also examines the political context by considering the external (opposition parties) and internal (division within the party) constraints placed on the party in terms of implementing immigration policy.



### **2.3 Historical institutionalism: institutional change, policy framings and critical junctures**

In contrast to those who focus on party political interactions, a third perspective looks to the state itself and the institutions which comprise it to explain government decisions on immigration policy. The historical institutional approach “brings the state back in” by focusing on how administrations and bureaucracies shape policy. Historical institutionalism stresses the way in which the actions of individuals exist within the context of rules and norms, and through the legacies of previous decision-making (Lowndes 2002).

The new institutionalist school – which historical institutionalism stems from – claims that political institutions can be autonomous, and it is these non-partisan apolitical institutions which form immigration policy according to the interests of the state. The new institutionalist approach is diverse, and includes several variants which differ according to the degree of autonomy attributed to the state, as well as conflicting understandings of structure and agency. Scholars also vary with regard to whether the state is monolithic, or whether various bureaucratic agencies and institutions pursue their own interests and agendas. Nonetheless, all variants of new institutionalism contend that institutions are a set of relatively enduring rules and organised practices, which are somewhat resilient to idiosyncratic preferences and the external environment (March & Olsen 2006, 3). Institutions are said to both constrain and condition the behaviour of political actors (Béland 2005; Steinmo et al. 1992) and therefore understanding institutions and institutional adaptation is fundamental to explaining policymaking and policy change.

In contrast to other strands of new institutionalism, such as rational choice institutionalism, historical institutionalists focus more explicitly on the state and its institutional development, and how such historically embedded institutional developments constrain individual behaviour (Schmidt 2006). This strand is best known for its emphasis on how historical legacies structure and constrain political outcomes, a concept known as path dependence. It stresses the importance of sequences in development, timing of events and phases of political change, and is thus particularly attentive to processes over time.

Given the emphasis on structures, one of main problems for the historical institutionalist is explaining human agency. In response, historical institutionalists have divided into those on the one hand who adhere to a ‘calculus approach’ (Hall & Taylor 1996, 940; Thelen 2004; Pierson 2004) which puts historical institutionalists closer to rational choice institutionalists, and on the other hand those who have adopted a ‘culture’ approach which puts them closer to sociological institutionalists (Schmidt 2006, 106; Berman 1998; Blyth 2002). Many who have adopted a cultural understanding of human agency within the historical institutionalism school have focused on the role of ideas, ‘tipping’ this strand into discursive institutionalism, although ‘the dividing line is fuzzy’ (Schmidt 2006, 111). What characterizes this strand of historical institutionalism is ‘the focus on ideas as explanatory of change, often with a demonstration that such ideas do not fit predictable ‘rationalist’ interests, are underdetermined by structural factors, and/or represent a break with historical paths’ (Ibid, 111). Thus when it comes to explanations of human agency, historical institutionalists have split between rationalist and constructivist understandings of institutions. Ontologically this appears contradictory; for how can one approach contain both rationalist and constructivist assumptions about human agency? Hay and Wincott (1998, 954) argue that the social ontology of historical institutionalism means that such institutionalists should reject the view of the rational actor on which the calculus approach is premised, because actors cannot be assumed to have a fixed (and immutable) preference set, to be blessed with extensive (often perfect) information or to be self-serving utility maximizers. Chapter six which examines the institutional context of policymaking adopts the ‘culture’ understanding of human agency within the historical institutionalist school.

The ‘cultural’ version of historical institutionalism starts from the assumption that the different components of the state – agencies, bureaucracies and departments – are built on ideational foundations; that is the initial construction of institutions are inaugurated by ideas. These institutions are therefore said to develop ideas and framings on the policy areas within their remit in a fairly autonomous manner. This is because whilst institutions condition and constrain action, ‘they are themselves also the outcome (conscious or unintended) of deliberate political strategies of political conflict and choice’ (Thelen & Steinmo 1992, 10). Thus whilst institutions are structural in that they condition behaviour, they are also constructed in that they are ultimately the products of human agency.

The historical institutionalist interpretation of ideas, at least within the ‘culture’ strand, is that they function as both mobilizing forces for collective actors who want to create or change institutions, and as the standards of evaluation for policy outcomes in existing institutions (Sanders 2006, 42). Through processes of normalization and socialisation, certain ideas, objectives and framings become embedded in these institutions which serve as cognitive filters through which actors (namely civil servants in this context) come to interpret their environment. Ideas then become codified into institutional practice and ‘take on a life of their own’ (Berman 1998, 18) to the extent that they become resilient to change. Crucially, historical institutionalists are concerned with how, under certain conditions, such institutionalised ideas and paradigms are contested, challenged and replaced (Hay 2006, 65).

The ‘cultural’ historical institutionalist assumes that actors’ desires, preferences and motivations are not a reflection of material or social circumstances, but are ideational and reflect a normative orientation (Hay 2006, 63). This assumption is grounded in the proposition that ‘reality and actors’ perceptions of it are not synonymous’ (Berman 1998, 30) thus ‘interests are neither given nor can they be inferred from the economic environment’ (Ibid). According to historical institutionalists who adhere to a constructivist understanding of institutions, reality is often too complex and/or ambiguous to be handled directly, and this leads political actors to rely on cognitive shortcuts to make sense of the world (Ibid, 31; Hay 2006). One such cognitive shortcut is the way in which over time, ideas and norms collectively form a policy frame which defines in a given policy sub-system principles of action, as well as methodological prescriptions and practices for actors subscribing to the same frame (Surel 2000, 496). In turn, policy frames can become fixed and institutionalised amongst actors:

Their [political actors] perceptions about what is feasible, legitimate, possible, and desirable are shaped both by the institutional environment in which they find themselves and by the existing policy paradigms and world-views. It is through such cognitive filters that strategic conduct is conceptualized and ultimately assessed (Hay 2006, 65).

In terms of explaining change, those who adopt a ‘cultural’ understanding of institutions, contend that ideas can prompt a new policy framing, and in turn policy change, when the normal policy frame is seen as inadequate; otherwise known as ‘incremental adjustment’ (Pierson 2004). New ideas and framings can also be

mobilized, so the historical institutionalist claims, through processes of ‘policy learning’ (Hall 1993; Sabatier 1988), which ‘examines the reframing of policy issues with the possible reframing of the associated institutions’ (Peters 2012, 79). Policy learning can be prompted by conflicts between alternative visions of policy or a deeper conflict over policy ideas (Peters et al. 2005). In this sense ‘powering’ and ‘puzzling’ are intertwined and ‘the competition for power can itself be a vehicle for social learning’ (Hall 1993, 289). However, these ideas will only be viable alternatives if they are advocated by influential political actors; for ideas remain just that without actors mobilizing them. These actors are referred to as ‘policy entrepreneurs’ (Sabatier 1988; Kingdon 1995), ‘agenda-setters’ (Richards & Smith 1997) or ‘carriers’ (Berman 1998). For an idea to gain currency it must be associated with political actors, and the more powerful these actors are, the more likely an idea will become accepted and embedded. The historical institutionalist does not then contend that ideas are free floating abstractions that can occur at any time. Rather ideas as a causal force are dependent on institutional legitimisation by powerful actors.

Most institutionalist accounts point to crisis or exogenous factors, such as socioeconomic change, as events which render the previous policy frame inadequate to the new set of circumstances. However, John Kingdon (1984) in his work on agenda-setting demonstrated that a culmination of favourable dynamics can allow the opening of a political window, which is ‘an opportunity for advocates of proposals to push their pet solutions, or to push attention to their special problems’ (Kingdon 1995, 173). Kingdon suggests that the power of ideas in changing a policy frame is not confined to moments of crisis, but can be a result of a favourable set of circumstances which open a window of opportunity for actors to promote a new policy frame.

Another mechanism of policy change can be endogenous, internal processes of institutional change. One such process Kathleen Thelen (2004, 36) labels ‘institutional conversion’ where, ‘the adoption of new goals or the incorporation of new groups into the coalitions on which institutions are founded can drive a change in the functions these institutions serve or the role they perform’. When new actors are integrated into an institution this can lead to additional elements being layered on an institution, and in turn redirect the objectives (Thelen 2004, 293), such as when a previously dormant or inactive institution, for example a government department, becomes newly active in a

given policymaking process (Thelen & Steinmo 1992, 17). In this way institutional change is not triggered when some external environmental factor changes, rather institutional change can occur, ‘precisely when problems of role interpretation and enforcement open up spaces for actors to implement existing rules in new ways’ (Mahoney & Thelen 2010, 4). Accordingly, institutional change can be internal, evolutionary yet still transformative. Whilst the focus of this study is on policy change as opposed to institutional change, institutional shifts impact on the norms, conventions and practices of public policymaking, and such shifts therefore have the capacity to cause policy change.

The power of institutions is in their constraining capacity, as institutional rules are relatively enduring and resilient to idiosyncratic preferences and expectations (March & Olsen 2006, 3), making them acquire a highly “layered” quality (Pierson & Skocpol, 2002, 14). In turn, institutions tend to generate policy reproduction and stability. However, radical policy change is rare but still possible. These moments of radical transformation are described as critical junctures in the historical institutionalism literature, which are events or brief moments in which, ‘structural (economic, cultural, ideological, organizational) influences on political action are significantly relaxed for a relatively short period’ (Capoccia & Kelemen 2007, 343). Critical junctures can thus be interpreted as moments which allow for policy change, analogous to Kingdon’s (1995) ‘window of opportunity’.

Change is most dramatically prompted by an exogenous ‘shock’ to an otherwise settled institutional environment, which drives a revaluation of institutional practices. Major events such as wars or civil conflicts or economic crises are the most obvious examples. Alternatively, we can interpret a critical juncture as a moment where multiple variables inherently change at the same time, which in turn creates a space for political change. Crucially, a critical juncture is usually caused by a combination of several independent variables that interact to produce a relatively short window of opportunity, in which political actors can break away from ‘business as usual’ (Schwartz 2001, 13). As a result, interdependency of variables becomes the key to explaining policy change: ‘These contingencies matter because it is only during a critical juncture that actors are truly free to choose among competing alternatives’ (Ibid). What becomes essential in explaining policy change are the temporal conditions and the conjectures of a variety of

internal political forces. Individually these are not capable of generating change, but when taken together the effect can be radical. Paradigmatic shifts therefore require a combination of time, circumstances and powerful actors (Richards & Smith 1997, 76).

Yet while critical junctures represent marked points at which new ‘paths’ are chosen, critical junctures should nevertheless be understood, indeed can only be understood, in relation to previous ‘paths’ (Consterdine & Hampshire 2014; Pierson 2004). The concept of path dependency which is at the heart of historical institutionalist analysis does not simply encapsulate the banal truth that ‘history matters’. Rather it conveys how feedback mechanisms affiliated with earlier policy choices can constrain future options because deviating from such paths will have high political and/or institutional costs (Levi 1997, 27); hence why an atypical or third order policy change is so exceptional. A change can only be classified as a critical juncture then if there are visible institutional lock-in effects which lay a new path for policy.

### ***2.3.1 Institutions and immigration policy***

Given that ‘the entire analytical framework of historical institutionalism appears premised upon the enduring effects of institutional and policy choices made at the initiation of a structure’ (Peters 2012, 77), the approach is much better suited to explain policy stability. Unsurprisingly then relatively few scholars have employed this approach to explain immigration policy change (Consterdine & Hampshire 2014). The exception to this has been Virginie Guiraudon (2003) who employed Kingdon’s concept of a window of opportunity to explain the Europeanization of immigration policy. She argued that the establishment of EU anti-discrimination legislation transpired partly as a result of favourable timing, or a window of opportunity, for a particular group (Starting Line Group) which were able to informally set the agenda at a critical meeting (the 1996 Intergovernmental Conference) (Ibid, 274).

Many scholars have however employed a historical institutionalist approach to explain trajectories of immigration policy development, and have found path dependent effects on immigration policymaking (Hansen 2000; Tichenor 2002; Wright 2012). Moreover, a number of scholars have analysed immigration policy with a disaggregated lens of the state, and found that the different institutions of immigration policymaking have

divergent and often contradictory agendas on immigration policy, particularly between central government departments and the agencies which implement such policies (Wright 2010; Eule 2014; van der Leun 2006). Others have also engaged with the concepts of new institutionalism to explain comparatively why certain ideas and framings do or do not become embedded in the institutions of immigration policymaking. For example, Hansen and King (2001) examined how ideas stemming from the eugenics tradition translated into immigration policy outcomes in Britain and the USA. They found that the idea failed to materialize in Britain due to timing and lack of institutional positioning by its proponents, thus reinforcing the interdependency between ideas and interests.

Other scholars have similarly analysed the role of ideas and policy framings in immigration policy (Bleich 2003). At the supranational EU level for example, immigration policy is framed in either ‘realist’ terms as an issue of internal security or a ‘liberal’ frame of human rights (Lavanex 2001). Adrian Favell (1998) examined the role of ideas and framings in integration policy in France and Britain which formed what he called public philosophies. He found that in France the dominant policy framework addressed the country’s ethnic dilemmas in terms of republican ideas. In contrast, Britain addressed these problems in terms of race relations and multiculturalism. Favell argued that these frameworks rest on different philosophies ‘based on contrasting understandings of core concepts such as citizenship, nationality, pluralism, autonomy, equality, public order and tolerance’ (Ibid, 2). These philosophies, he claimed, hold irrespective of the party composition of government and persevere over time.

Chapter seven adopts a historical institutionalist lens to the question of policy change. Taking a disaggregated view of the state, the chapter examines the administrative context in detail, analysing the role of different government departments in immigration policymaking, their institutionalised policy framings of immigration, and assessing whether institutional changes to policymaking practices had an influence on policy outcomes. If the historical institutionalist approach has explanatory power in the case, we would expect the different institutions of immigration policymaking to have developed habitual modes of policymaking and framings of policy issues. We would predict that the sequencing, timing of policymaking and endogenous institutional shifts, may have had an impact on the degree of policy change. The concluding chapter

considers complex causality and reflects on whether the case constitutes a critical juncture.

#### **2.4 Methodology and research design**

The purpose of using three approaches to the question of policy change is to utilize different understandings of how and why policy change transpires. Thus whilst this research is a single country case study, it is comparative in terms of adopting a ‘multiple lenses’ approach (Lewis & Grimes 1999). A multiple lenses approach is apt at revealing ‘seemingly disparate, but interdependence facets of complex phenomena’ (Lewis & Kelemen 2002, 258). Since the study adopts different approaches to the question of policy change, the thesis does not adopt an a priori ontological position. Because using a multiple lenses approach assumes that alternative explanations are possible and can work to complement each other to enhance our understanding of the social world (Lewis & Grimes 1999), epistemologically the research is situated in the interpretivist tradition, albeit in a ‘soft’ understanding. A soft interpretative approach accepts that the different explanations of policy change are essentially different interpretations of the same phenomenon. Such an epistemology allows us to both ‘respect opposing approaches and juxtapose the partial understandings they inspire’ (Lewis & Kelemen 2002, 258). This enables us to supply different narratives of policy change and evaluate which, if any, offers the best explanation based on the empirical data.

The study adopts an iterative research design, since the relationship between theory and data was both inductive and deductive (Einshardt 1989, 546). An initial theoretical framework was designed, preliminary data collected, and the framework was refined accordingly. Consequently, rather than undertaking competitive testing of abstractly generated theoretical assumptions, which as Falkner (2002, 4) says ‘easily turns the world into a black-and-white-only picture where manifold shades of grey, not to speak of all other colours, go unnoticed’, this research adopted an explorative process-tracing design which was amenable to recognising unexpected dynamics and diverse causal effects (Ibid). Whilst process-tracing stems from the positivist tradition, this method can nonetheless contribute to the interpretivist case study approach (Checkel 2006) as it helps to uncover ‘directly and indirectly what actors want, know and compute’



(Vennesson 2008, 233), and is well suited to unravelling complex causation (George & Bennett 2005).

The aim of this research is to understand how and why policy changed and therefore I employed methods capable of penetrating the 'black box' of policymaking. Since the objective of the research is to trace processes, decision-making and understand policymaking in a specific setting (Grix 2001, 33), qualitative research was better suited to gather data that can be subjected to interpretation and analysis. The research methods employed were archival analysis, elite interviews, and the analysis of grey literature. Elite interviews were the dominant source of data for this research, but the research instruments worked in conjunction as a form of triangulation to increase reliability through multiple sources (Burnham et al. 2008).

The grey literature analysed included government documents such as: white papers, green papers, official minutes, Hansard transcripts, consultation papers, press releases, and speeches. The purpose of analysing such papers was to build a trajectory of the reforms and view the policy narrative from a government perspective. Party manifestos, political speeches and political memoirs were also analysed to elucidate the party political positions. Additionally, this research analysed non-government publications, such as: consultation responses, publications from interest groups, speeches, press releases, and newspapers which were used as a secondary source. Analysing publications made by non-governmental actors conveyed the various policy positions of interest groups, recommendations made by various actors, as well as changes in stances towards immigration policy over time.

For government sources archives were collected from the National Archives in Kew, Surrey. The archival data was used mainly for background purposes, to build a historical narrative of immigration policy in Britain, and to explore any previous arguments made in government for expanding immigration policy and institutional conflicts over immigration. Archive sources for the Labour Party (situated in the People's History Museum in Manchester) were also collected in order to assess what Labour's approach to immigration was whilst in opposition.

Since the decision-making processes and motivations of the reforms under study were usually made behind Whitehall doors concealed from the public sphere, elite interviews were the only suitable method of uncovering such information (Davies 2001, 75). Elite interviews also provided a way of gauging the inner workings of the political process, such as how specific events or policies were viewed within the ‘political machine’ (Lilleker 2003, 208). Forty five interviews were conducted between June 2011 and May 2014. An initial sampling frame was devised but issues of access led to snowball sampling. The main constraint in elite interviewing is gaining access to elite participants, as policymakers often see interviews as a threat to institutional appearances (Undheim 2003, 3). Consequently exclusions from the ideal sampling frame were inevitable, although the reasons for refusal at times provided valuable data in itself (Dexter 1970, 31). While I was unable to interview all the key actors involved in the policy reforms under study, in particular former ministers, these were usually substituted by special advisors (SpAds) and senior civil servants who have intimate insider knowledge and indeed often knew more about the details of policymaking than former ministers. Interviewing former civil servants and special advisors also provided a way of overcoming ‘institutional memory’ as current or retired politicians ‘often encounter pathological difficulty in distinguishing the truth, so set have their minds become by long experiences of partisan thought’ (Seldon 1996, 360).

Another methodological challenge of elite interviewing is the issue of anonymity. Given that interviewees were selected based on their institutional position, their direct action on the policy process at times made anonymity unattainable and ‘on occasions it is necessary for the sake of the validity of the research to “name names” and to give authorial possession to particular comments or pieces of information’ (Herod 1999, 324). Anonymity was therefore negotiated with the interviewees on a case by case basis. Consequently some interviewees remain anonymous in the text, in particular civil servants, and nine interviewees are omitted from the interview list (see list of interviews).

Since the research examines the role of different sets of actors in the immigration policymaking process, interviews were conducted with a range of governmental and non-governmental actors. Interview participants consisted of: current and past Labour politicians (MPs and ministers), past and current civil servants (in the Home Office, the

Treasury, Department for Business, Innovation and Skills and the Foreign and Commonwealth Office), former special advisors, economists specialising in immigration (such as MAC members), unions, think tanks/pressure groups, journalists, NGOs, employer associations, one lobbyist specialist, sector specific interest groups and experts in the field.

The interviews were semi-structured as this allowed more flexibility and opportunities to probe. The purpose of the elite interviews varied depending on the representative actor involved, although most interviewees provided details of the narrative and context in which such policies were made, such as which actors were involved in specific decisions and why such decisions were taken. The aim of the elite interviews with governmental representatives, such as civil servants, was to explicate institutional norms and informal rules within the immigration policymaking process, divulge the organisational culture of governmental departments, as well as uncovering covert ideas and philosophies that shaped immigration policy. In contrast, the purpose of interviews conducted with Labour Party members, such as MPs and SpAds, was to uncover the political motivations behind the reforms, including the party political considerations, such as the political context in which these policies were made. Conversely, interviews conducted with non-governmental actors focused on whether such groups lobbied the Labour government for expansive policies, if so what methods they adopted, and what their concerns were with regards to immigration policy.

The three approaches outlined suggest a range of possible reasons why policy change occurs and in particular why states may expand their immigration policies. Whilst there is a degree of overlap between these approaches, each assumes that a different set of actors ultimately drives policy and policy change, and they therefore adopt divergent understandings of how power is distributed across the state. After providing contextual background of the case, the subsequent chapters examine whether the empirical data ‘fits’ with any of the approaches outlined. The final empirical chapter reflects on the utility of such approaches, offers an overarching explanation of this case of immigration policy change, and offers some explanatory insights for scholars of public policy change more generally. The thesis now turns to the case study at hand, by summarising Britain’s history of immigration policy to demonstrate the degree of atypical change under Labour, and then providing a comprehensive account of the reforms under study.

## Chapter 3

# Setting the scene: the history of Britain's immigration policy

### 3.1 Introduction

Twenty years ago, Gary Freeman (1994) claimed that Britain's immigration policy was a deviant case in comparison to Western European. This was primarily due to the way that the UK managed to retain a relatively successful economy, including a liberal global trading policy, whilst effectively limiting unwanted migration (Ibid). Britain's highly restrictive approach has been widely acknowledged, but the reasons behind such motivations have been contested by scholars. Given that the majority of Britain's post-war restrictive measures were targeted at non-white immigrants, many scholars contend that Britain's immigration regime was underpinned by a racialized discourse (Paul 1997; Saggar 1992; Spencer 1997; Hampshire 2005). Conversely, Randall Hansen (2000) challenged the racialization thesis, claiming that the political elite were rather responding to electoral demands in the face of a public discourse which was antagonistic towards immigration (Ibid, 263). Notwithstanding the reasons why policy evolved as it did, Britain's immigration regime was undoubtedly a restrictive one.

The Labour governments of 1997 to 2010 pursued an expansionary economic immigration policy in stark contrast to Britain's past record. The policy shift under the Labour governments was thus akin to a third order change, where the fundamental objectives and framing of immigration policy fundamentally deviated from what had hitherto been the case. Labour's immigration policy was a historically unprecedented reversal and this thesis seeks to explain how and why this transpired. In order to demonstrate the degree of policy change, contextual background is needed. This chapter thus outlines Britain's post-war immigration policy and polarizes this legacy with a comprehensive overview of Labour's immigration policy. The chapter builds a narrative of British immigration policy from 1948 until 2010, and serves to demonstrate the unprecedented shift under the Labour governments in comparison to Britain's post-war restrictive framing. The chapter begins by summarising the political debates and the

main policies and acts which were established in the 1960s, 70s, 80s and 90s, demonstrating both the degree of restrictionism and the lack of any strategic economic immigration policy. The chapter goes on to provide a detailed narrative of the reforms made under the Labour administrations, with a particular focus on Labour's expansive economic immigration programme.

### **3.2 Maintaining fortress Britain: 1948-1970**

Although migration policy had been informed by two other Acts pre 1945 – the Aliens Act of 1905 and the Aliens restriction Act of 1914 – it was only post 1945 that 'immigration beyond Europe became significant enough to register as a major political issue' (Hampshire 2005, 9). Previously, citizenship had been derived from a common code of British subjecthood, but as the Old Commonwealth countries began to gain independence, starting with Canada, it was evident that this overarching mode of citizenship was no longer applicable. Thus Britain's immigration policy essentially began in 1948, as a consequence of a desire to preserve a notion of citizenship based on Commonwealth identity (Hansen 2000). This was established through the 1948 British Nationality Act. This Act granted citizenship to all members of the empire (an estimated 600 million people), and served as a last attempt to reaffirm Britain as the leader of the Commonwealth.

Initially this all-encompassing citizenship proved to be advantageous for Britain's labour market. Following World War Two Britain's economy was shattered but labour market shortages were abundant. There was some deliberate recruitment of foreign labour from the Ministry of Health which solicited nurses from the West Indies to come to the UK, ostensibly temporarily, for training and work (Hansen 2000, 8). London Transport also initiated a recruitment drive in Barbados in 1956 to ease staff shortages which brought thousands from the Caribbean to Britain.

However, Britain's aspiration to preserve some hold of the empire came with some unexpected and unwanted consequences. Following the 1948 Act, a wave of unanticipated Commonwealth migrants arrived on Britain's shores (symbolised by the infamous arrival of the Empire Windrush in 1948), and the British governments watched as chain migration from the Commonwealth unfolded. By 1962 the

government conceded that this was an untenable situation and the 1962 Commonwealth Immigration Act was subsequently established.

The 1962 Act halved the quotas of work permits (a system established in 1919) and introduced a labour voucher scheme which would enable Commonwealth citizens to enter, reside, and work in the UK depending on their work skills. Initially vouchers were available for both skilled and unskilled workers, but after 1965 only qualified workers could apply, which mostly consisted of doctors (Salt & Kitchling 1990, 267). That the Irish were exempt from these controls is considered by many to reflect the racist motives behind this legislation (Layton-Henry 1992; Hampshire 2005). Irish migrants have long represented both the largest and most important source of migrant labour for the British economy, and have for all intents and purposes been treated as if they were British subjects (Hickman 1998, 291).

While primary immigration decreased as a result of the 1962 Act, secondary immigration did not, and by 1967 settlement of New Commonwealth citizens had greatly increased. Propelled by fears of so-called overcrowding<sup>5</sup>, this increase in flows caused concern amongst the political elites<sup>6</sup>. Meanwhile, events outside of Britain left the political elite in an even more contentious position.

Turbulent times were occurring in Africa; Uganda's dictator, Idi Amin, was pursuing an aggressive Africanization policy, where Ugandan residents without African descent were expelled from the country. As a result, East African Asians who possessed Citizens of the UK and Colonies (CUKC) status (as a result of the 1948 Act) fled to Britain in fear of being left stateless. Fearful of an already antagonistic public this unexpected wave of immigration caused panic amongst the political elite, who subsequently and some would say pitilessly, introduced further restrictive legislation in the form of the Commonwealth Immigrants Act 1968.

The rising political saliency of immigration in the late 1960s and early 1970s meant that there was potential for the 'race card' to be played (Saggar 2000). Although the Wilson

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<sup>5</sup> TNA HO 344/42, Letter to Minister of State, 9<sup>th</sup> November 1961; TNA HO 344/42, Letter to Sir Charles Cunningham on issue of overcrowding, 9<sup>th</sup> November 1961

<sup>6</sup> TNA HO 344/193, 'Commonwealth Immigration-1967', Press Notice, undated

government attempted to defuse the issue, immigration had become the fourth most salient issue for voters in the 1970 General Election (Geddes 2003, 38). The main reason for this was Conservative politician Enoch Powell's contribution to the debate. Powell's infamous moment came in 1968, when he delivered a controversial speech fuelled by anti-immigrant sentiment predicting 'rivers of blood' because of the supposed incompatibility between inassimilable immigrants, and Powell's particular notion of the 'English people'. While Powell was sacked almost immediately from the Conservative shadow cabinet because his views ran counter to the Party, his speech was effective at rousing up anti-immigrant sentiment. Powell's speech actually benefited the Conservative Party indirectly at the 1970 General Election through the Party's association with Powell's hard-line anti-immigrant stance (Geddes 2003), gaining an estimated increment of 6.7 per cent in votes because many 'perceived them to be the party more likely to keep immigrants out' (Studlar 1978, 46).

It is worth highlighting that towards the end of the 1960s, there was an attempt to frame immigration policy on economic grounds. Purportedly 'there [was] an established general move away from the emotive atmosphere that has surrounded this question'<sup>7</sup>, when research commissioned by the Home Office revealed that immigrants were less costly to the public purse than the indigenous population<sup>8</sup>. However, the suggestion that immigration could be relegated on the basis of economic needs was refuted in 1970, denigrated as an irresponsible approach to policy and it was resolved that 'justification by GNP is a pitfall ridden approach'<sup>9</sup>.

### **3.3. 1970-1980: joining the community**

With the saliency of immigration reaching a peak at the 1970 election, it was clear that the 1968 Act had not resolved the public's fear of mass immigration, nor did the Act end non-white immigration altogether. This failure in policy terms led to the government's final (and by its own measures successful) endeavour to resolve New Commonwealth immigration – the 1971 Immigration Act. This Act further

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<sup>7</sup> TNA Lab 8/3315, 'Economic consequences of immigration 1966-1970, Letter to Mr Avbery from O.F.Griffiths, 16 May 1966

<sup>8</sup> TNA HO 376/130, Ministry of Housing and Local Government, Notes on NIESR report on immigrants and the social services, no date; TNA HO 344/63, 'Employment: Coloured Immigrants' contributions to British Economy', Report on Findings, no date.

<sup>9</sup> TNA HO 376/130, Letter to Mr Fries from G.Meynell (Ministry of Housing), 21 December 1970

disaggregated the once homogenous rights of Commonwealth citizens, by separating those who were 'patrial' and those who were 'non-patrial'. The patriality clause referred to those 'who have a close connection with the UK by birth, residence or descent' (Home Office 1972, 2), which in practice applied to citizens of Old Commonwealth countries. This Act represents the final deterioration of Commonwealth citizenship rights, and essentially 'went as far as it could in explicitly diminishing the former privileges of Commonwealth citizens' (Cohen 1997, 365). The Act also gave new unfettered powers to the Home Secretary to dictate deportation policy, a clause which remains in place today.

Notwithstanding the general concern to limit New Commonwealth immigration, the 1971 Act was partly motivated by the 'numbers game'. With 1973 came a pivotal and defining moment for Britain, acceptance to the European Economic Community (EEC). While the Home Office repeatedly claimed that immigration flows from the EEC would be small<sup>10</sup>, it was found that prior to accession Italian migrants had obtained a large number of work permits. In light of this impending wave of now permit-free labour, Heath rejected a proposal to increase the issuance of work permits from 3,500 to 5,500 on the grounds that this figure was unjustifiably high<sup>11</sup>. Heath suggested that the dependence on foreign workers in the catering and hospitality trade in particular, should be reduced. The Treasury were critical of Act claiming that the additional staff needed to enforce the Act would incur a public expenditure of £500,000 a year<sup>12</sup>, but the Treasury nonetheless accepted that the Act had a political purpose. The Treasury did however demand an exemption of overseas doctors<sup>13</sup>, which the Home Office conceded to.

As accession approached in the early 1970s, now familiar fears of EEC nationals coming to Britain to 'welfare shop' were also on the horizon<sup>14</sup>. First and foremost being

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<sup>10</sup> TNA CAB 164/460, Mr Luard quoting PM, "European Economic Community", Minutes from Hansard Commons, 16<sup>th</sup> February 1970

<sup>11</sup> TNA FCO 50/484, "Immigration Policy", Cabinet Minutes, 23<sup>rd</sup> January 1973

<sup>12</sup> TNA T227/3216, 'Official Committee on Immigration and Community Relations. Proposed Immigration Legislation: ICO (70)5, 6 & 8. Brief for meeting 8<sup>th</sup> December. Letter to Miss Forsyth from J.D Skinner, 4<sup>th</sup> December 1970.

<sup>13</sup> TNA T227/3216, 'Commonwealth Immigration Legislation, Brief in IC (70) 2 and IC(70)3', letter to Mrs Case from Miss J.M Forsyth, 17<sup>th</sup> August 1970

<sup>14</sup> TNA CAB 164/460, Study Group on Mobility of Labour and Social Policy, Note on the Implication of Entry into Europe for Mobility of Labour, Migration and Employment, undated



both the leader of the Commonwealth and an EEC Member State now put the government in a geopolitically awkward position as ‘It would be politically untenable to put Commonwealth citizens in general so much at a disadvantage with foreigners, but socially disastrous to throw the doors as widely open to Commonwealth citizens in general as to nationals of other member states’<sup>15</sup>. This proved politically problematic for the government; asked whether priority would be given to EEC nationals over Commonwealth citizens, ‘consistently ministers’ replies sought to duck the issue’<sup>16</sup>. With a potentially large pool of unlimited EEC immigration imminent, it was resolved that Commonwealth migration, or more specifically New Commonwealth migration, must be limited further. The Act was a symbolic attempt to redefine British citizenship at a time where its imperialistic power in the Commonwealth was diminishing. Thus the 1971 Immigration Act was, in part, a manifestation of Britain’s conflicting geopolitical interests.

Underlying the restrictive Acts throughout the post-war period was a bipartisan consensus that good race relations required strict immigration controls (Spencer 1997, 153). Fractious race relations had been a concern amongst the political elite since the mid-1960s when race riots broke out across the country, and there was consequently an acceptance of the need to challenge widespread racism. This dual approach of restrictionism whilst challenging discrimination is what Shamit Saggar (1992) coined the ‘Hattersley equation’, named after Labour Home Secretary Roy Hattersley (Rex and Tomlinson 1979). The 1965 White Paper *Immigration from the Commonwealth* (HMSO, 1965) was the first official articulation of this dual approach, but it was the establishment of anti-discrimination laws in the form of the 1965 Race Relations Act, the 1968 Race Relations Act and the 1976 Race Relations Act, which institutionalised the ‘Hattersley equation’.

Much like the 1960s, there was little in the way of any type of economic immigration policy. Whilst it was suggested in 1976, that it would be ‘useful to see what an optimum immigration policy might be if the United Kingdom could start with a clean sheet’, it was ultimately conceded that ‘that there was no possibility of preparing long-term

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<sup>15</sup> TNA CAB 164/460, Study Group on Mobility of Labour and Social Policy, Note on the Implication of Entry into Europe for Mobility of Labour, Migration and Employment, undated

<sup>16</sup> TNA FCO 50/358, Negotiating brief for UK entry into EEC effects on immigration in the UK and probable effects on immigration controls if Britain joins EEC.

forecasts of the labour market as a basis for immigration policy'<sup>17</sup>. By 1976 it was becoming apparent to the government that there was no coherent immigration policy as such: 'Present policy represents a series of accretions, the different elements of policy being the response to pressures from immigration from different areas over recent years....there is no coherent criteria for policy'<sup>18</sup>.

The running theme of the 1970s was restrictionism by any means, and the Labour government largely believed that they had succeeded in ending all large scale primary immigration from New Commonwealth countries and Pakistan<sup>19</sup>. Indeed it was claimed that the argument about numbers of immigrants 'was over'<sup>20</sup>. But whilst the government appeared confident that primary immigration from New Commonwealth countries had ended, public concerns over immigration were still rife and the government feared that 'almost anything said to the press on this delicate subject at present was liable to cause misunderstanding and, in effect, to continue to maintain the temperature of a subject which it was in all our interests to cool'<sup>21</sup>.

It was deemed necessary for further restrictions to be put in place, especially as further EC enlargement (Southern Europe) could 'affect the number of work permits issued to Commonwealth immigrants'<sup>22</sup>, and there were subsequently numerous discussions as to how to achieve this. The introduction of a points-based system was even discussed but ultimately whilst the model had 'its attractions, in the present economic circumstance the additional burdens upon manpower and financial resources would probably be unacceptable'<sup>23</sup>.

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<sup>17</sup> TNA CAB/130/882 'Official group on immigration policy', Minutes of meeting held on 23 September 1976.

<sup>18</sup> TNA CAB 130/882 'Official group on immigration policy', Minutes from 20 December 1976

<sup>19</sup> TNA CAB 130/1007, Select Committee on race relations and immigration: report on immigration, draft statement by Home Secretary, 1978

<sup>20</sup> TNA CAB 130/1007 'Select Committee on race relations and immigration: report on immigration, draft statement by Home Secretary, 1978

<sup>21</sup> TNA FCO 50/585 'Meeting on immigration between FCO and Home Office Ministers, Letter to Mr Cortazzi from M. Palliser, 11 June 1976.

<sup>22</sup> TNA FCO 30/3967, House of Commons Select Committee on Race Relations and Immigration: inquiry into the effect of the United Kingdom's membership of the EEC on immigration and race relations, Note on a meeting held on 22 December 1977

<sup>23</sup> TNA FCO 37/1832, 'Ministerial group on immigration policy', Gen 24: ministerial group on immigration policy, meeting 2 February 1977

### 3.4 1980-1997: swamping Britain and the asylum crisis

The 1980s and 1990s were relatively dormant in terms of immigration legislation or policy. Nonetheless, the period maintained the status quo of restriction. Prior to the 1979 Conservative landslide, Thatcher (1978) made her infamous “swamping” statement about the impact of immigration on British culture. This statement signified that race would no longer be regarded by the Conservative Party as an untouchable issue (Messina 1985, 425). The Conservative governments continued restrictionism through the 1981 British Nationality Act, which introduced a definition of citizenship exclusive to British citizens, and was designed ‘as with earlier rules, to control immigration for work and settlement’<sup>24</sup> (Hansen 2000, 207). The Act also included the Primary Purpose Rule which severely restricted family reunification rights. Essentially, ‘insofar as Britain can be said to have an immigration policy, it [was] a policy designed to contain the social problems of past immigration by eliminating virtually all future inwards flows’ (Rees 1982, 95).

The 1980s was much like the 1970s, inactive in terms of any type of economic immigration policy with one exception; the work permit scheme underwent two reviews. By 1980, work permits for full time employment were only available to overseas workers holding recognised professional qualifications or having a high degree of skill and/or experience. The system no longer accommodated large influxes of semi-skilled or unskilled workers. The first review in 1981 aimed to improve the efficiency of the work permit system, but only minor amendments were made<sup>25</sup>.

In contrast to 1981, the 1989 review took place under considerably better economic conditions. The review shifted the policy focus ‘from employment protection towards encouragement of enterprise economy’ (Clarke & Salt 2003, 564). This led to changes in the work permit system in 1991, where a two tier system for processing applicants was established. While these reviews led to fairly fundamental changes to the work permit system, the changes made were to simplify entry, rather than encourage or

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<sup>24</sup> TNA FCO 107/30, Proposed changes to UK and Immigration Nationality Policy. Memorandum, ‘Revised immigration rules: essential facts’, 1979

<sup>25</sup> Changes included: Better working rules were adopted to distinguish cases deserving exemption from the resident labour search requirement, guidelines developed on appropriate skills threshold, it was agreed that anyone coming to work up to three years should be given a permit for the full period (rather than having to go back annually for a review), a person could be promoted (thus in theory changing occupation) without having to ask the Department for Employment’s approval (Salt & Kitchling 1990, 270).

liberalise immigration and there was ‘no relaxation of the conditions [to obtain a work permit]’ (Hansard 31 January 1991, col632).

With the 1990s came a new dilemma for the political elite, the “asylum crisis”. As a result of political changes worldwide, people across many nations were fleeing their countries in fear of persecution, and subsequently asylum applications to Britain greatly increased, indeed an ‘unprecedented increase’ according to Home Secretary Kenneth Baker (Hansard 7 February 1991, col 400). As the political saliency of asylum-seeking increased, so did the government’s efforts to control humanitarian immigration in the form of primary legislation. Four parliamentary acts on asylum and immigration were established under the Conservative governments in the 1990s, including the 1993 Asylum and Immigration Appeals Act which was the first asylum-specific legislation in Britain. The Act introduced compulsory fingerprinting of asylum seekers and extended the 1987 Carrier’s Liability Act. While the 1993 Act was effective in limiting granted asylum appeals by a dramatic amount<sup>26</sup>, asylum applications continued to rise. The Conservative government then implemented the 1996 Asylum and Immigration Act which removed certain in-country appeal rights and withdrawal of social security benefits for asylum seekers (Stevens 1998, 207). Yet these provisions did little to alleviate the now colossal back-log of asylum applications in Britain. Enter a revitalised Labour government to take a stab at resolving this now highly charged political situation.

A brief look at fifty years of policy developments clearly demonstrates how and why Britain got its reputation for being a ‘country of zero immigration’ (Freeman 1994). The bipartisan consensus underpinning policy was the belief that good race relations necessitated limited immigration. Unchallenged and widely accepted by all parties, this logic was embedded in every policy throughout the twentieth century. Britain began with an unintentionally open door policy, and subsequently spent the next fifty years trying to close it and ultimately end Britain’s ‘debt to history’<sup>27</sup>. It presents a picture of reactive policymaking; constantly “fire-fighting”, attempting to defuse the issue, and a continual endeavour to curb all types of immigration.

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<sup>26</sup> Six months prior to the Act 86 per cent of asylum applicants were granted either asylum or exceptional leave to remain, compared with 28 per cent in the six months following the Act.

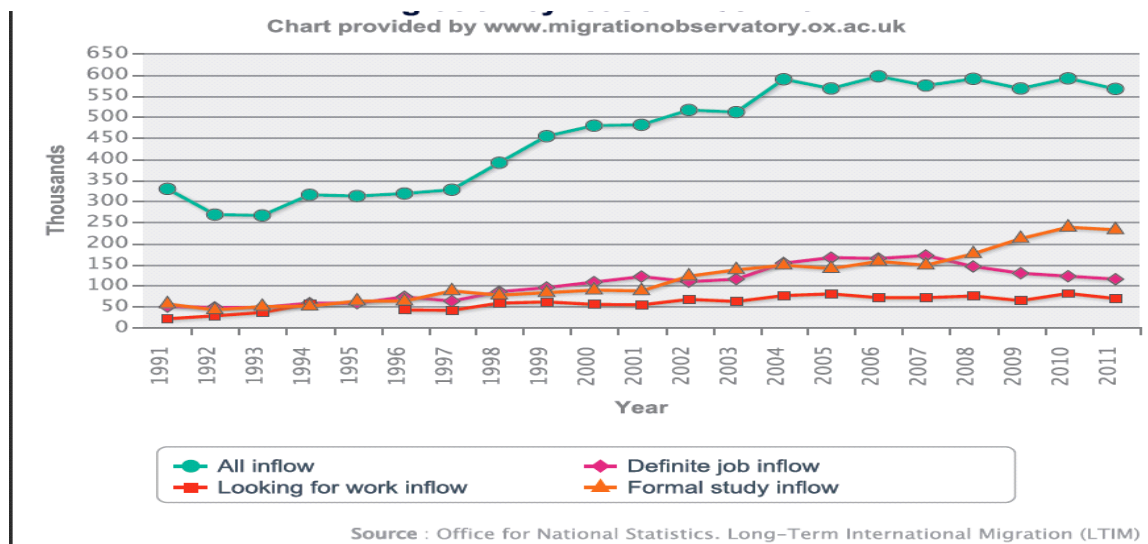
<sup>27</sup> TNA CAB 130/882, Official group on immigration policy, minutes from 17 September 1976

Whilst issues of citizenship, race relations, and asylum legislation all received attention from the British political elite, there was no real economic immigration policy to speak of. Of course the absence of a policy could be regarded as a policy in itself, if only by adopting a defusing strategy (Bale et al. 2010). Migrants had filled labour shortages throughout the post-war period, and there were a handful of meagre attempts to explicitly recruit foreign labour following the War. But the decision governing such entries was ‘quintessentially a political one’ (Hansen 2000, 10). Economic or labour immigration was not regarded as an autonomous policy, and no politician would dare suggest that such policy could or should be regulated by the needs of the economy, thus ‘it is fair to say that there had been little attempt to use immigration or labour migration in a systematic way to counter labour or skills shortages’ (Caviedes 2010, 110). Yet Britain’s new, revitalised, “cool Britannia” government was about to change all of this.

### 3.5 Immigration policy under New Labour

*“Managed migration is not just good for this country. It is essential for our continued prosperity” (Tony Blair 2005a)*

**Figure 1: Immigration by reason: 1991-2011**



Source: Chart provided by Migration Observatory; Office for National Statistics. Long-Term International Migration (LTIM)

Major changes were apparent in all areas of immigration policy under the Labour administrations, but arguably economic immigration received the most significant

transformation, marking a ‘...decisive break with the previous policy model’, see appendix 1 for an overview (Somerville 2007, 29; Flynn 2005). From 1997–2010 Britain’s immigration system underwent substantial changes including: ten major parliamentary acts on immigration and asylum, countless strategy documents, and major reforms and renovation of the immigration system (Somerville 2007, 24). Whilst the immigration regime in this period remained restrictive to some types of immigration (such as asylum and irregular migration), the Labour governments’ economic immigration reforms culminated in one of the most expansionary policies in Western Europe, and as a result economic immigration flows increased,...

During their time in office, the Labour administrations constructed a system of selective admission based on the economic utilization of migrants, creating an employer driven immigration system for the first time. Indeed, with the exception of temporary labour voucher schemes to fill labour market shortages in the 1960s – which was predominantly established in a bid to control and regulate unwanted Commonwealth immigration – this was the first attempt at a strategic economic immigration policy. These policy changes had a cumulative impact on immigration flows, with net migration to the UK reaching an annual average of 195,000 during 2000-2011 which was three times the annual average of 65,000 in the previous decade (Vargas-Silva 2013). With two and a half million foreign-born workers added to the British population during Labour’s time in office, it is no exaggeration to say that immigration, under the New Labour administrations, has ‘permanently changed the face of Britain’ (ONS 2010; Finch & Goodhart 2010, 4).

Will Somerville (2007) suggests that Labour’s immigration policy can be disaggregated into two definitive periods. The first term (1997-2001) Somerville suggests, was an ‘efficiency drive’ to manage the backlog of asylum seekers and relieve administrative pressures of the system. In turn, a tough approach to asylum settlement was adopted. In contrast, Labour’s second term (2001-2005) signified a much more strategic approach to immigration. It is within the second term where the major policy reforms to economic immigration were made. While Somerville is correct that Labour’s first term of office was focused on the asylum backlog, there were tenets of Labour’s emerging economic immigration policy in the first term, although this was not well

publicized. Nonetheless, Somerville is right to argue that Labour's first term of office was dominated by how to resolve the so-called asylum crisis.

### **3.6 Dealing with the asylum crisis: 1997-2000**

While the Labour Party radically reformed economic immigration policy over their time in government, there was no abrupt shift upon electoral victory, nor did the Party enter office with a thought-out strategy for immigration reform (Layton-Henry 2004). On the contrary, immigration did not feature in Labour's election campaign, and the only reference to it in the 1997 manifesto was a commitment to abolish the primary purpose rule governing marriage migration, on the grounds that it was 'arbitrary' and 'unfair' (Labour Party 1997), a pledge that was met within a month of taking office when the government abolished the rule. Beyond this rather specific objective, immigration barely registered on the political agenda.

When the Labour Party entered government in 1997, it was faced with three pressing immigration issues. Firstly, a strong public perception that administrative procedure (predominantly incompetence in the Immigration and Nationality Directorate) was in a chaotic state. Secondly, the asylum backlog had 'become the immigration scandal of the late 1990s in its own right' (Clayton 2008, 14). Thirdly, the government was faced with the decision as to whether to sign the Amsterdam Treaty (Flynn 2005, 471).

The Treaty included provisions to allow legal competency in the field of immigration and asylum under the first pillar. Due to concerns over the Schengen acquis, the UK negotiated a special opt-out protocol, allowing flexibility as to which asylum and immigration proposals they would opt in/out of. Since its acceptance into the community, Britain has been a sceptical partner and thus reluctant to move towards a common EU immigration and asylum policy, opting out of most directives. Amsterdam was no exception, as Foreign Secretary Robin Cook declared, 'Policy on border controls and immigration will be made in Britain, not in Brussels' (Hansard 12 November 1997, column 910).

While the UK has adopted measures in the realm of race equality, workplace discrimination, asylum acquis and border controls, Britain has consistently opposed

common European policies that would empower supranational institutions, which ‘could challenge the executive’s tight grip on immigration policy’ (Geddes 2003, 31). The UK’s approach to EU regulations on immigration has ‘enabled it to maintain a strongly national approach when it chooses to, while opting to collaborate where that helps to achieve its objectives, as on asylum and irregular migration’ (Spencer 2011, 17). There is very limited evidence to suggest that the EU was a source of inspiration for Labour’s approach to economic immigration. The 1999 Tampere Summit provided a five year plan for immigration and asylum which included an objective of ‘management of migration flows’, yet the presidency conclusions made no mention of opening up economic immigration routes (Balch 2010, 128). It was not until 2000 (by which point the expansion of economic immigration had begun in the UK) that the European Commission began to talk of a new approach to labour migration, but there was little substance to such proposals in any case (CEC 2000, 3).

The Labour government’s first White Paper on immigration, *Fairer, Faster, and Firmer: A Modern Approach to Immigration and Asylum*, was published in 1998. The paper set out the modernised efficiency approach that the government sought to apply to immigration and asylum policy, and there was very little in the way of strategic thinking on economic immigration (Flynn 2003, 4). Indeed, there were visible continuities between this paper and the bipartisan consensus of the linkages between control and race relations (Balch 2010, 124). The 1999 Immigration and Asylum Act swiftly followed, which included the paper’s outline of dispersing asylum seekers to areas where accommodation costs would be low.

It is fair to say that Labour’s first term was overshadowed by the asylum crisis. With an eightfold increase of asylum applications between 1988 and 1998, and a consequential backlog of 52,000 asylum cases from the previous administration (Hansard 27 October 1997, col 569-71; Hansard 27 July 1998 col 37-54), dealing with asylum was clearly the overriding concern for government. The somewhat controversial measures placed to combat the backlog, such as the 1999 Act, appeared to be successful in policy terms, as by the end of their second term asylum applications had greatly reduced (Home Office 2010). Border controls, asylum backlogs and racial equality all received considerable attention; economic immigration policy however was certainly not on the political agenda (at least publicly) at this stage.



### 3.7 2000-2005: the making of managed migration

*‘There is no obvious limit to immigration’ (Blunkett 2003)*

Labour’s second term of office saw a new Home Secretary – David Blunkett – who was the most assiduous minister in terms of developing an economic immigration strategy. The government continued to manage the asylum crisis but began focusing their attention on tackling irregular migration. In 2001 the total unauthorised migrant population was estimated to be at 430,000, causing alarm bells in Whitehall (Woodbridge 2005). Events such as the Sangatte Crisis<sup>28</sup> in July 2001 only heightened the salience of asylum and irregular migration. The Sangatte crisis, 9/11 (and the subsequent anti-terrorism measures), combined with a pan-European concern over irregular immigration resulted in a new negative framing of immigrants, that of a security risk.

Yet behind the headlines and the multiple Commons debates on border control, asylum, and security, the Labour government was establishing an economic immigration policy. Within this period, a distinction was built in rhetoric and policy between asylum on the one hand and economic immigration on the other. The separation between “wanted” and “unwanted” immigration allowed the Labour government to be tough on asylum whilst almost tacitly pursuing expansive economic immigration (Mulvey 2011, 1478).

Where hitherto the immigration system was restrictive to all types of immigration, it is within Labour’s second term of office where the government essentially re-framed the immigration debate:

In the mid-1990s there was a restrictive rhetoric, with the main aim to keep those coming to work and live in the UK to “an irreducible minimum”. By the early 2000s this had been replaced by a more expansive logic of labour migration being used to “boost the economy” (Balch 2009, 625).

While it is difficult to pinpoint the defining shifting moment in strategy and policy, late 2000 and early 2001 was when concrete policy changes were made.

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<sup>28</sup> Set-up by the UK and French governments, the Sangatte camp in France opened in 1999, and was established to provide shelter to those fleeing the Kosovo war. However, when it was leaked that a group of Sangatte residents staged a break-in at Coquelles and managed to get several miles down the Channel Tunnel before being caught, the French and British press relentlessly focused on the issue of irregular migration and lax border controls generally.

### **3.7.1 Our competitive future: High-skilled migration**

The beginning of this new strategic approach to immigration policy was first hinted at in the Department for Trade and Industry's 1998 White Paper *Our Competitive Future: Building the knowledge driven economy*<sup>29</sup> (DTI 1998). Two years later, a major government review on immigration and its impact on the economy was conducted, which was strongly influenced by Minister for Competitiveness Alan Johnson. The impetus for this review was a wider re-thinking of global economic competitiveness, an initiative driven by the Treasury and the DTI. As a consequence of this review, two new labour immigration routes were established which were 'major departures from previous economic migration policy'— the Innovators Scheme (in 2000) and the highly skilled migrant programme (HSMP) in 2001 (Somerville 2007, 33). These were the first of its kind, as these visas were the first to be based on the supply of skills, rather than shortages.

Announced in July 2000 by Minister for Immigration Barbara Roche and Minister for Competitiveness Alan Johnson, the Innovators Scheme was a small scale pilot targeted at attracting entrepreneurs to the UK. The justification for the scheme, given by Johnson, was that:

In the knowledge-driven economy, innovation is ever more critical to success. We are committed to ensuring that by 2002 - the UK will be the best place in the world to conduct e-commerce. This scheme will strengthen our position in the global war for talent. It will promote the UK as the location of choice for high-tech entrepreneurs (DTI 2000).

The two-year pilot aimed to pull in 2,000 applicants for each year of the project. However, the scheme attracted only 112 applicants, largely because of the creation of the HSMP. The HSMP (originally called the Skilled Migrant Entry Programme) was introduced in January 2002, and was initially planned as a 12 month programme. The scheme was 'designed to allow individuals with exceptional personal skills and experience to come to the UK to seek and take work' (Home Office 2002b). In many ways the HSMP was the first origins of the points-based system (PBS), as candidates were admitted according to the number of points for human capital (such as qualifications, work experience, past earnings). The initial pass rate was set at 75 points, but over the years of its operation the threshold for entry was eased; the pass mark was reduced to 65 points in 2002, the number of points prospective applicants could receive

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for previous work experience was doubled in January 2003, and new points categories such as being under 28 years old were added in October 2003 (Home Office 2002b; Somerville 2007, 33). By 2007, before the replacement of the scheme with Tier 1 of the points-based system, annual entry on the HSMP had reached 28,000 (Salt 2009).

As part of the launch of the schemes, Immigration Minister Barbara Roche made a landmark speech to the Institute for Public Policy Research (IPPR) in 2000, suggesting a fundamental change to the policy objectives of immigration. This was the first time that a minister had ever publicly expressed that immigration should be seen as part of the economic growth strategy:

The evidence shows that economically driven migration can bring substantial overall benefits both for growth and the economy... Migration policy needs to be joined up – we need to recognise its importance for the economy, skills, employment, trade, investment, international relations, higher education and culture (Roche 2000).

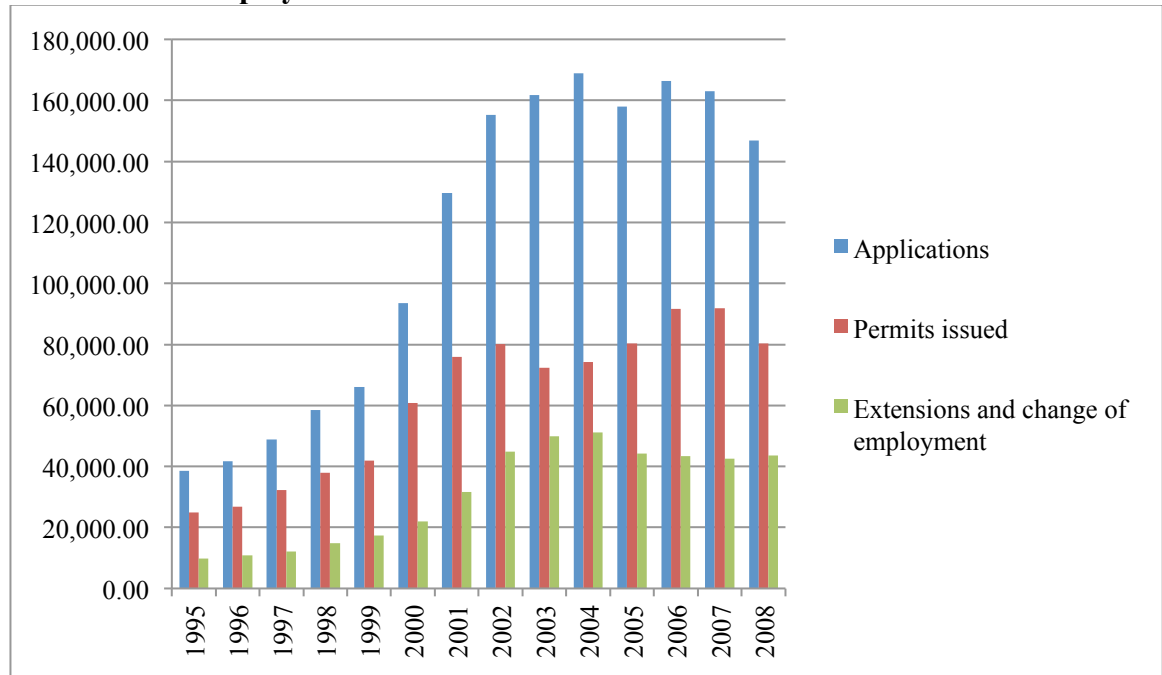
Within a year of this speech, and as part of the review process, the first major cross-government research paper was published in 2001. Conducted by economists and experts in the field, the now infamous report (see chapter six for discussion) concluded that ‘overall migration has the potential to deliver significant economic benefits’ (Glover et al. 2001, i). A further report by the Home Office, Performance and Innovation Unit (PIU) and IPPR looking at the fiscal effects of migration concluded further positive gains from immigration (Gott & Johnson 2002).

### **3.7.2 Work permits**

Perhaps the most significant move towards liberalisation by the Labour government was the expansion of work permits. The demand for work permits had been rising throughout the 1990s, with a 10,000 increase in permits issued between 1987 and 1992 (Salt 2001), but it was the Labour governments which significantly expanded this scheme. According to the government the liberalisation of the scheme was made ‘In response to growing concerns about skills shortages’ (Home Office & DTI 2002c, 7), thus the government refocused ‘the work permits criteria to facilitate the easier inward migration of those with key skills in relation to the UK economy’ (Ibid). The changes to the work permit scheme were in response to the 1999 Budget which ‘argued for a loosening of the rules limiting the skills and experiences required for inward migration,

especially for entrepreneurs and investors wishing to start businesses in the UK' (Ibid, 26). Labour's liberalisation of economic immigration is clearly expressed in the numbers arriving on the work permit scheme, with numbers rising from approximately 24,000 in 1995, to a peak of 96,740 in 2006 (Salt 2009, 89; see figure 3).

**Figure 2: Work permits applications, permits issued and extensions/change of employment**



Source: Salt (2009, table 5.1)

The government further lowered the criteria to obtain a work permit in 2000, from a qualification and two years' work experience, to just the qualification. Moreover, applicants without a degree had previously needed five years work experience to obtain a work permit. This was lowered to three years in October 2000. The validity of a work permit was also extended from four years to five years, and exceptions to the Resident Labour Market Test (RLMT)<sup>30</sup> were introduced, such as for board-level managers. This was coupled by an easing of the rigidity of the administration of work permits, including intra-company transfers and multiple-entry work permits, the process of which had begun in the late 1990s (Ibid; Sommerville 2007, 30).

<sup>30</sup> The RLMT was (and is) a requirement that employers had to prove that no European Union national could do the job. This had previously been applied to all work permits issued.

Employers had become disgruntled with the cumbersome and expensive bureaucratic processes to obtain work permits in the late 1990s, and in response the Department for Education and Employment (DfEE) initially took steps to make more rapid decisions on applications and to reduce the skill threshold for posts eligible for a permit. Part of this easing of administrative burdens was to transfer work-permit related passport endorsement practices from the infamously chaotic Immigration Nationality Directorate (IND) to Work Permits UK in order to prevent delays. This transfer proved to be an effective remedy, with Work Permits UK reputedly completing 90 per cent of applications within 24 hours by 2003 (Spencer 2011, 89). Moreover, the rules were relaxed for senior level ICTs, board level posts, and those associated with inward investment (Home Office & DTI 2002c, 26). These actions saw the number of permits (swelled by recruitment of IT and health professionals) rise to more than 85,000 in 2000 (Spencer 2011, 85). The cumulative expansion of the work permit scheme over these years resulted in a 41.8 per cent increase in applications by the end of 2000, with the number of work permit holders and their dependants reaching a record high of 137,035 in 2005 (Dobson et al. 2001). Between 1995 and 2002 total applicants for work permits (including HSMP applicants) had increased by an astonishing 300 per cent (Clarke & Salt 2003, 565).

### ***3.7.3 Low and semi-skilled: SAWS, SBS and Working Holidaymakers***

At the other end of the labour market, the government expanded low-skilled immigration routes, such as the expansion of the Seasonal Agricultural Workers Scheme (SAWS). The long-running SAWS was set-up after the Second World War to facilitate the movement of young people from across Europe to work in agriculture. Quotas had long been used to manage the number of people able to participate in the scheme, and throughout the 1990s this quota was set at 10,000 places. Under the Labour governments however, the SAWS quota was increased by 15,000 places in total, rising to 15,200 in 2001 and 25,000 in 2003, due to 'shortages in the supply of seasonal and casual labour' (Work Permits UK 2002).

In other sectors of the UK economy, labour market shortages were becoming apparent. The hospitality sector had been persistently experiencing labour market shortages in the late 1990s (Burns 2003), and hotels and restaurants were experiencing over 3 per cent

vacancies consistently (ten out of twelve months) (Caviedes 2010, 126). With 10,087 permits issued to the hospitality sector in 2002, representing 11 per cent of all work permits, the shortages were evident to the government (Clarke & Salt 2003: 567). Responding to these shortages, the Labour government established a new low (or semi) skilled immigration route in 2003, the Sector Based Scheme (SBS). The SBS was modelled on the SAWS, however the SBS was targeted exclusively for immigrants wanting to work in the hotel and food processing sector. Like SAWS, the SBS ran on a quota system of 10,000 each year, applicants had to be aged 18-30, and successful candidates could only reside in the UK for a maximum of 12 months. While neither of these low-skilled schemes lasted – with SBS phased out during 2006 and SAWS in 2013 – this was principally because of EU enlargement and the consequential replacement of low-skilled overseas labour with EU migrants. For the final three years of the SAWS, only A2 citizens (Romanian and Bulgarian) could apply, and given that citizens from Central and Eastern Europe (CEE) made up 91 per cent of applicants for SBS (Clarke & Salt 2003, 573), the closure of these schemes merely symbolized that the foreign labour which had previously filled these gaps, were no longer immigrants but EU citizens exercising their right to free movement. With transitional controls lapsing for A2 migrants in January 2014, the SAWS scheme closed altogether at the end of 2013 (Home Office 2013).

Whilst the government were tinkering with existing programmes and establishing new labour immigration routes, they were also converting previously non-economic routes into working schemes. The Working Holiday Makers scheme was originally designed as a cultural exchange programme for young people from Commonwealth countries, but in 2002 the government effectively transformed this scheme into an economic route, allowing participants to switch to the work-permit scheme after 12 months. The type of work was also liberalised so that Working Holidaymakers could undertake professional and highly-skilled work for the first time. Furthermore, the maximum age limit for applicants was also raised from 27 to 30. The liberalising changes made to the Working Holiday Makers Scheme, which took effect from August 2003, were in part to ‘make the existing scheme as inclusive as possible of the Commonwealth as a whole’, but the changes were principally made to ‘provide a pool of flexible labour that can help alleviate recruitment difficulties faced by UK employers [and] help reduce the demand

for labour currently supplied by illegal workers' (Home Office/IND 2002d). Since 2005 the scheme has been restricted, and the old criterion has been reinstated.

#### **3.7.4 Student immigration: PMI and post-study work visa**

Quite apart from Labour's plans on labour immigration, in a bid to generate money for the higher education sector, the government committed to doubling the number of international students studying in UK further and higher education institutions. In 1999, Prime Minister Blair made this pledge under the Prime Minister's Initiative for International Education (PMI1) which initially ran for six years. This commitment was then extended in April 2006 for a further five years (PMI2). The PMI scheme was established to 'secure the UK's position as a leader in international education and to sustain the growth of UK international education both in the UK and overseas' (DTZ 2011, i). Targets to be achieved by 2011 under PMI2 included: an additional 70,000 international (non-EU) students in UK higher education, and 30,000 in further education; doubling the number of countries sending more than 10,000 students per year to the UK; demonstrable student satisfaction ratings given by international students; and significant growth in the number of educational partnerships between the UK and other countries. An evaluation of PMI2 in 2011 concluded that the higher education admission target was 'likely to be met' and that 'international student satisfaction has increased on average by between 8 and 10 per cent' (DTZ 2011, 8-10). The government also removed the requirement of students to be granted permission to work part time during their studies, enabling international students to support themselves and thus making the UK 'a far more attractive destination' (UKCISA 2008, 25). Between 2004 and 2009, the total number of persons admitted to the UK for the purposes of study (including their dependants) increased by almost 60 per cent (Home Office 2010, 21). The lasting effects of this specific policy are clear, with student immigration now being the largest stream into Britain overtaking 'work' since 2009 (ONS 2012c).

For the Labour governments, student immigration was not just a lucrative market for higher education<sup>31</sup>. This pool of soon to be skilled workers represented an opportunity to capitalise on the training and higher education of British institutions to fill skill

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<sup>31</sup> Fee income from non-EU students rose from £672 million to more than £1,725 million between 1999 and 2004. International students contribution to the UK economy was estimated at £2.5 billion per annum in tuition fees and an estimated £8.5 billion in total in 2003/04 (Consterdine & Everton 2012).

shortages. In 2005 the Scottish government had secured agreement with the Home Office to establish the Fresh Talent: working for Scotland scheme, allowing non-EEA graduates from Scottish institutions to work in Scotland for up to two years after their studies (Scottish Executive 2005). The British government adopted a modified version of this programme under the Science and Engineering Graduates Scheme, which allowed graduates with science and engineering skills to remain to work in the UK for 12 months, without a job offer, and with no restrictions on the type of work. The Labour government then extended this to all graduates in 2007, easing the transitioning between visas, and allowing international students to apply for a work permit post-study under the points-based system (PBS). Dubbed ‘one of the most generous schemes of its type in the world’ (MAC 2009), student policy was intricately linked with the UK labour market for the first time. The government went so far as to establish a separate type of visa for such post-study work under the PBS – Tier 1 Post-study Work (PSW). The PSW visa was mutually beneficial, as it was (rightly) assumed that many international students would be pulled to the UK if they had the opportunity to work after their studies. Thus the establishment of the PSW also opportunely attracted more international students. Amongst other benefits, this new visa meant that post-study immigrants would not need to pass the resident labour market test.

### **3.7.5 A8 accession**

As important as these reforms were, they were all upstaged by the decision to allow citizens of the A8 countries<sup>32</sup>, which joined the EU in 2004, unfettered access to the UK labour market. While the majority of the 15 EU member states placed restrictions on the new A8 member states, Britain (alongside Ireland and Sweden) chose not to, thus allowing citizens of the A8 countries the right to work in the UK with relatively few restrictions. The government legitimized this decision with reference to a prediction that A8 flows would be approximately 5,000-13,000 per year (Dustmann et al. 2005). However, the flows turned out to be over twenty times the upper end of this estimate, and between May 2004 and September 2005 293,000 A8 migrants entered Britain (Gilpin et al./DWP 2006, 13; OECD 2009a). Poles were the dominant nationality in this

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<sup>32</sup> A8 countries included: Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia



migration flow, accounting for 72 per cent of all A8 migrants in 2007 (Home Office 2010, 42).

Already facing intense political pressure to ‘control’ Eastern European migration (to be discussed in chapter five), a scandal involving failures in the immigration system only served to elevate the saliency of the issue. Two whistleblowers from the IND claimed in 2004 that there were systemic failures and widespread abuse of the migration system in Eastern Europe (Moxon 2004). A report on the scandal found that the visa system for upcoming A2 countries (Bulgaria and Romania) had been exploited (Sutton 2004). Facing severe political pressure, Immigration Minister Beverley Hughes resigned in April 2004 for misleading Parliament over her knowledge of the visa scams and the warning she had purportedly received a year earlier.

In response to the mounting political pressure induced by both the right-wing press and the visa scandal, a last minute amendment was made in February to the EU (Accession) Bill 2003; the Workers Registration Scheme (WRS). The WRS meant that any A8 migrant would have to complete 12 months of employment with one employer, before being entitled to claim any welfare benefits, and effectively acted as a data gathering mechanism on A8 migrants. Fears of welfare shopping were arguably unsubstantiated, with A8 employment rates reaching an annual average of 81.8 per cent in 2009, compared to 74.1 per cent for UK born workers (MAC 2009, table 3.5). The workers registration scheme closed in April 2011, but the scheme had anyhow done little in terms of any regulation of intra-EU mobility. If Labour’s other liberalizing reforms had not already turned Britain into a ‘migration state’ (Hollifield 2004), the A8 decision certainly did; with 75, 000 A8 nationals entering the UK in 2008 alone (ONS 2009, 22), representing 18.2% of all immigrants (OECD 2009a).

### **3.7.6 Managed migration: points-based system**

The Labour government conveyed this new approach to policy through the term “Managed Migration”. The Labour government officially introduced the concept of managed migration in the 2002 White Paper, *Secure Borders, Safe Havens* (Home Office 2002a). Managed migration was underpinned by the belief that it was possible to both encourage economically profitable immigration flows, whilst attempting to reduce

unwanted immigration through increasing border surveillance. The term provided the essential framework ‘for communicating a new approach by incorporating ideas regarding positive economic benefits of migration, while also maintaining a dimension of control’ (Balch 2009, 622).

Three months before the 2005 General Election, the Labour government published their five year plan for migration in their strategy paper – *Controlling Our Borders: Making Migration Work for Britain*. The focal point of the paper was the introduction of a single points based system (PBS), which consolidated the previous 80 routes of gaining legal entry to the UK (Home Office 2005). The PBS was rolled out in phases tier-by-tier from 2008, and remains in place under the current government. The PBS is composed of five tiers: Tier 1– highly skilled migrants; Tier 2 – skilled workers with job offers; Tier 3 – low skilled migrants; Tier 4 – students; Tier 5 – temporary workers and youth mobility. By 2009 Tier 5 had received the most persons admitted (36,715 people), followed by Tier 2 (33,685) (Home Office 2010, 21). Prospective immigrants were judged and awarded points according to their human capital: qualifications, future expected earnings, sponsorship, and English language skills. This system constructed a supply and demand immigration system, restricting what was considered to be economically ineffective immigration. The PBS had numerous objectives including: attracting skilled immigrants, increasing competitiveness of the highly skilled global labour pool through selective admission, creating an immigration regime susceptible to labour market needs, attracting profit and future revenue through active recruitment of international students, and enhancing tourism through simplifying entry and visa rules (Home Office 2005). The PBS was a system ‘designed in a period of boom but implemented in recession’ (Spencer 2011, 84). Nevertheless the system allows governments to finely tune entry criteria in consideration of changing economic circumstances and/or evidence, and thus gave the Labour government (and the current government) the capacity to adapt their immigration policy in light of the 2008 global financial crisis and the recession that followed it. Alongside the PBS the Migration Advisory Committee (MAC) was established in 2007 to advise government on appropriate quotas and ways to utilize immigration to meet labour shortages (discussed further in chapter four).

From around the year 2000, the Labour government began to overhaul the previous policy paradigm of restriction and began constructing an expansive economic immigration policy. 2000-2005 saw the most prolific economic immigration policymaking in British political history. At the same time, the government was faced with a continual barrage of criticism on asylum backlogs, administrative incompetence in the IND, ministerial scandals involving visas, and inefficient border controls and consequently the government espoused a tough rhetoric and policy on these matters. But while the latter issues constantly featured in headline after headline, speech after speech, the economic immigration reforms barely faced public scrutiny or parliamentary debate, indeed this was yet to come.

### **3.8 2005-2010: Rowing back**

*‘British jobs for British workers’ (Brown, 2007a)*

The 2005 General Election best marks the juncture when the Labour administration began to “row back” on immigration. The election campaign saw the Conservative opposition talking tough on immigration, with the now infamous heading in their manifesto ‘it’s not racist to impose limits on immigration’ (Conservative Party 2005). This caused a ‘ratcheting effect’ (Geddes & Tonge 2005), where ‘increased salience led to increased attention which, in turn, increased the number of government statements emphasising the negativity of migratory movements’ (Mulvey 2011, 1487; Saggar 1997a). Immigration began to dominate the political agenda in a way not seen since the 1960s:

Immigration was front and centre by far the biggest issue that we [Labour] talked about [in preparing for 2005 election]. At that point I would say that the negativity went in two directions. One direction was perceptions that the government were not handling the system very well. But also there was a bigger debate breaking out which was about how legitimate was the goal of a reasonably open immigration system, were there too many people coming in? And I think there was beginning to be a debate about was this having a negative effect on people at the lower end of the labour market. I would say that really the 2005 election was the break point in the sense that Labour won but I think it came away from the election recognising that immigration was and had become a very significant issue (Interview with former SpAd, 2011)

In preparation for the 2005 election, the Labour government ran a series of focus groups led by strategy and polling adviser to the Labour Party Philip Gould, and pollster to Gordon Brown Deborah Mattinson. Their results revealed the stark reality that levels of anti-immigrant public sentiment were rising. These focus groups continued daily, and by 2006 Gould commented in his memoirs that: ‘Concerns about immigration continued to heighten, and it was increasingly seen as a primary cause of other problems. People saw Labour as out of touch, not listening and gogged by sleaze and infighting’ (Gould 2011, 493). Mattinson (2010, 133) similarly suggested:

Immigration, perhaps more than any other issue, illustrates the disconnect between the voter and the Westminster Village...we described it [immigration] as a “vortex” issue, one which sucked all other issues in – the NHS is struggling? That’s because it’s crowded with immigrants. Can’t get a job? That’s because immigrants have undercut your rates...It became an issue that, in the focus groups, we always shut down and moved on from and the voters knew it.

In response to what the Labour Party perceived as rising anti-immigrant sentiment, some aspects of immigration policy and rhetoric were tightened during Blair’s last two years as Prime Minister (2005-06), and the foreign prisoners’ scandal<sup>33</sup> in 2006 only propelled the issue up the political agenda. For example, the automatic right to apply to extend stay after four years on the HSMP was withdrawn when it was found that many on the scheme were not taking up high-skilled work. However, the courts found the retrospective rule change unlawful, and ruled that the terms of the original scheme must be honoured (Spencer 2011, 92). John Reid’s promotion to Home Secretary in 2006 saw the beginnings of strategy to use tougher language and boost enforcement. The new enforcement crackdown (HSMO 2007) was based on a new civil penalties regime and ‘immigration crime partnerships’, which incorporated other parts of the public sector regulating migration (Balch 2010, 140).

In the aftermath of the 2008 economic crisis, and with a populist backlash against immigration evident in opinion polls, Labour desperately tried to row back in its final term in office. In immigration policy, as so much else, the tone and substance of the Brown premiership was very different from the Blair government of the early to mid-

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<sup>33</sup> Over 1,000 foreign nationals theoretically eligible for deportation had been released between 1999 and 2006. The scandal was seen as a major failure of senior management, and of the relationship between immigration and criminal justices systems (Hansard: Select Committee on Home Affairs 2005/2006 Fifth Report)

2000s. Pro-immigration rhetoric was tempered and policy was tightened, as epitomised by the decision to place transitional controls on Bulgarian and Romanian citizens when their countries joined the EU in 2007 (MAC 2008). The Sector-Based Scheme was also closed in 2006, as the quotas had not been filled. The Working Holidaymakers' Scheme was reverted back to a cultural exchange scheme, with the old conditions being fully reinstated. The criterion for a Tier 1 visa was also tightened in 2009, so that no points were awarded for a Bachelors degree or previous earnings below £20,000 (MAC 2009). Further tightening included extending advertising requirements for jobs in Tier 2, tightening the criteria for post-study work visas, and a comprehensive skills review of occupations on the shortage list with a view to upskilling existing resident or "native" workers to reduce further dependence on migrant labour (Home Office 2009).

As the economy slowed and the government's popularity plummeted, there was much less talk of the economic benefits of immigration and much more about the need to ensure a fair and robust system of controls. Indeed, the downturn seemed to have the most immediate effect on sectors of the UK economy where migrant labour was most intensely present (Scott 2008). Immigration Minister at the time, Liam Byrne, especially ramped up the tough talk on immigration, but it was arguably too late to reassure the public that Labour were in control of the borders.

Immigration policy innovations and administrative reforms did continue, but the former was increasingly focused on plans for strengthening border controls, including proposals for universal ID cards (Byrne 2007; 2008a; Smith 2008b), while the latter saw the reorganisation of the Immigration Nationality Directorate. The IND had been under much speculation and criticism over Labour's terms (and indeed Major's term in the 1990s) for general administrative incompetence, reaching a pinnacle when former Home Secretary John Reid declared the organisation 'unfit for purpose' in 2006. After a series of reviews, the IND was merged with UK Visas and HM Revenue and Customs and took on agency status to form first the Borders and Immigration Agency, which was then renamed in 2008 into the UK Border Agency (UKBA)<sup>34</sup>.

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<sup>34</sup> Following reviews highlighting incompetence in the UKBA (UKBA 2011), as of April 2013, the UKBA was split into two separate units in the Home Office: a visa and immigration service and an immigration law division. In 2012 the Border Force – responsible for day to day operations – was separated from UKBA and became a separate law enforcement body.

While the government presented tough rhetoric on immigration with an emphasis on border control, the economic immigration policies put in place in the early 2000s were not fundamentally abrogated. Furthermore, immigration flows continued to rise, with more immigrants entering the UK in Labour's final year in office (2010) than in almost any other year on record (ONS 2012b).

### **3.9 Conclusion**

Despite the row back of the later years there is no doubt that the Labour government's record on economic immigration was one of liberalisation. Britain effectively went from being a country with a very wide conception of citizenship, to a subsequent forty years of a highly restrictive regime (with bipartisan support), and finally a system which actively endorsed economic immigration. Looked at in historical perspective, the speed and scale of the policy shift is all the more remarkable. Since post-war immigration was first regulated in the 1960s, immigration policy had evolved at a glacial pace and often in a piecemeal way. Certainly, no government had previously attempted such an ambitious overhaul of the country's immigration system and essentially there was no economic immigration policy to speak of (Consterdine & Hampshire 2014). A myriad of factors have influenced British immigration policy over the last 50 years, primarily foreign policy and public preferences. But regulating immigration based on economic utilitarian arguments was clearly a rationale specific to the Labour governments of 1997 to 2010. Immigration policy was consistently made with the objective to keep foreigners living and working in Britain to an irreducible minimum. In stark contrast to Britain's historical reputation of restrictionism, the Labour governments' policy was one of expansion. The fundamental aims and objectives of immigration policy changed; hence I argue that the policy shift was akin to a third order change (Hall 1993). Yet it remains unclear as to how an immigration regime entirely underpinned by restriction became one of the most expansive in Western Europe in such a relatively short time span.

## Chapter 4

# In whose interest? Organised interests, policy networks & collective action

*Yes, there was some lobbying by employers, but employers cut no ice really*

(Interview with former Home Office Official, 2011)

### 4.1 Introduction

The role of organised interests influencing immigration policy change in a liberalising direction has been explored by a number of scholars (Cerna 2009). Gary Freeman's (1995; 2006) contribution is perhaps the most notable. Freeman argues that a shift to liberalisation occurs because well-organised pro-immigration clients exercise a disproportionate influence over the policymaking process compared with the unorganised, anti-immigration public. Accordingly, political elites respond to such demands to gain electoral support from interest groups. A number of scholars have applied Freeman's hypothesis to this case of policy change, and have concluded that the shift in policy objectives was indeed brought about by non-governmental actors, be this businesses (Menz 2009; Caviedes 2010; Somerville & Goodman 2010), think tanks (Balch 2010) or policy networks more generally (Somerville 2007). Testing Freeman's proposition, this chapter examines whether expansive economic immigration policies in Britain occurred due to organised interests' lobbying government

The chapter will begin by discussing the multi-organisational field, differentiating types of organisations and the lobbying strategies they applied. The chapter then outlines the specific organisations which can be considered as constituting the economic immigration policy network in Britain. The chapter will then draw on the empirical evidence, and present a broad chronology of the activities of non-state actors in economic immigration policymaking under Labour, where the findings reveal that the role of non-state actors in prompting policy change was limited.

## 4.2 Lobbying strategies

In order to examine whether organised interests are able to influence and change immigration policy, we need to disaggregate the types of action organisations employ to persuade policymakers of their interest. In other words, to answer whether organised interests matter, we must understand *how* they matter. The techniques of modern lobbying, broadly defined as any attempt to communicate information to political actors (Vining et al. 2005, 151), present organised interests with a variety of tactical options to influence policy, which are dependent on a number of factors including the constellation of interests and the saliency of the issue at hand. Borrowed from Kriesi et al. (2010, 232) lobbying strategies can include the following:

**Table 1: Collective action strategies**

<b>Inside strategies</b>	<b>Public-related strategies/outside lobbying</b>
<p><i>1. Administrative strategies</i></p> <ul style="list-style-type: none"> <li>– Serving on governmental advisory commissions or boards</li> <li>– Participating in governmental consultation procedures</li> <li>– Supplying information to policymakers</li> <li>– Direct personal contact with public officials</li> <li>– Negotiating with or informing branches of government</li> <li>– Negotiating with or informing interest groups</li> </ul>	<p><i>1. Mobilizing the public, including campaigning</i></p> <ul style="list-style-type: none"> <li>– Making public endorsements of candidates</li> <li>– Making financial contributions to electoral campaigns</li> <li>– Contributing to other political campaigns</li> <li>– Engaging in direct mail fund-raising for your organisation</li> <li>– Organising petitions or signature collections</li> <li>– Launching or supporting referendum campaigns</li> <li>– Holding public assemblies and meetings</li> <li>– Protesting or demonstrating</li> <li>– Organising boycotts</li> <li>– Striking</li> </ul>
<p><i>2. Parliamentary strategies</i></p> <ul style="list-style-type: none"> <li>– Direct personal contact with members of Parliament or their staff</li> <li>– Testifying in parliamentary committees or intervening in Parliament</li> <li>– Negotiating with or informing members of Parliament</li> </ul>	<p><i>2. Informing or getting informed about the public</i></p> <ul style="list-style-type: none"> <li>– Hiring a public relations firm to assist you in your public activities</li> <li>– Making public speeches</li> <li>– Running ads in the media about your position on policy issues</li> <li>– Polling the general public on policy issues of concern to you</li> <li>– Polling your members on policy issues</li> </ul>



<p><i>3. Court-related strategies</i></p> <ul style="list-style-type: none"> <li>– Filing suit or engaging in some sort of litigation</li> </ul>	<p><i>3. Media-related strategies</i></p> <ul style="list-style-type: none"> <li>– Writing newspaper articles</li> <li>– Giving interviews to the media</li> <li>– Distributing press releases</li> <li>– Holding press conferences to announce policy positions</li> <li>– Presenting yourself on the Web</li> </ul>
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Despite the wide tactics available to organisations, there is a broad distinction to be made between these activities: ‘inside’ lobbying and ‘outside’ lobbying. Inside lobbying is defined as ‘communication or interaction directed at policymakers or their staffs’ (Kollman 1998, 35). This type of lobbying is fundamentally based on consensual activity between interest groups and policymakers, and indeed ‘often involves explicit collusion between lobbyists and policymakers who tend to agree with each other about some policy matter’ (Ibid, 23). As Kriesi et al. (2010, 227) observe, inside strategies are preferable in ‘terms of their efficiency with regard to information processing, and they avoid the costs of public strategies in terms of an actor’s reputation as trustworthy’. Conversely, outside lobbying is characterised as ‘appeals toward persons outside the policymaking community’ (Ibid, 35), which essentially involves efforts to influence the public debate, or ‘going public’ (Kernell 1997), with the aim of shaping policy through public pressure. In critical phases of policymaking, when for example the saliency of the issue heightens, all interest groups are more ‘likely to go public than in equilibrium phases of routine policymaking’ (Kriesi et al. 2010, 230). However, as Caldeira et al. (2000, 52) argue:

Lobbying is not merely about taking positions or engaging in limited action to maintain the organisation or gain publicity; instead, lobbying is about winning politically and doing whatever is necessary to do so. Consequently, most lobbying campaigns, regardless of the type of groups involved or the political nature of the issue, will be quite similar in terms of the various tactics employed. All types of issues are therefore likely to exhibit substantial use of both “inside” and “outside” lobbying activities’

Most organisations employ a mixture of inside and outside lobbying, and ‘influence attempts are most effective when they involve multiple tactics’ (Kriesi et al. 2010, 227). Fundamentally, lobbyists provide whatever types of information will be most effective in influencing policymakers decisions, and that success frequently requires organisations to provide both electoral (outside lobbying) and policy relevant (inside lobbying) information at different times (Caldeira et al. 2000, 53). As a result,

organisations ‘must engage in a variety of lobbying tactics’, and no organisation uses exclusively inside or outside lobbying (Ibid; Kollman 1998).

Lobbying tactics aside, organised interests cannot be regarded as one collective group and some organisations have greater status and leverage to influence policy than others. Some organisations – such as specific employer associations and trade unions – possess ‘insider status’ and are thus usually involved in the policymaking process in a meaningful way and on a regular basis (Kollman 1998, 7; Grant 1978; Grant 2000). In contrast, outsider groups are a more heterogeneous category and represent those organisations that ‘are not subject to the disciplines imposed by the acceptance of the informal rules of the game’ (Grant 2004, 409). Outsider groups fall into two categories: those who would like to be insider groups but lack the political resources or skills to gain recognition, and those deemed ideological outsiders. The latter group represents organisations whose objectives are fundamentally at odds with governments’, or in other words ideological protest groups. The implication of the typology is that insider groups are more likely to be successful in achieving their objectives, if only because they have greater access to decision makers.

There is a further distinction to be made between access and influence, as many organisations have access to decision makers but few have considerable influence on policy outcomes (Maloney et al. 1994, 25; Keefe & Ogul 1964). Maloney et al. (1994, 31) propose three levels of insider status: (i) Core insider group; (ii) Specialist insider group; and (iii) Peripheral insider group. This distinction is useful, as the separation between those organisations which have influence on policy (core insider groups) can be distinguished from those groups who are only consulted on particular issues (specialist or peripheral). The distinction between outsider and insider groups is blurred and the typology has been critiqued for being too rigid and outdated (Grant 2004). Nonetheless, in the UK context at least, there remains a relevant division between certain insider groups who have very close links and clear influence over government decisions, and outside groups, who whilst still able to influence policy, have less of a decisive, explicit or regular impact.

The chapter will now outline the specific organisations which constituted the economic immigration policy network in the period 1997 to 2010, including summarising the

membership of the interest group, the typical lobbying strategies employed, and the objectives/interests in terms of economic immigration specifically.

### **4.3 Britain's immigration policy network**

#### *4.3.1 Trade associations/employer associations*

Most corporations in Britain appoint a relative trade association to undertake their lobbying (including immigration policy) on their behalf, as opposed to lobbying government directly. Trade association lobbying in this context is corporate lobbying.

The employer association which was most responsive and active on the issue of economic immigration policy under the Labour administrations was the Confederation for British Industries (CBI). The CBI is an organisation which represents a diverse range of British businesses in almost every sector. It represents more than 240,000 companies, and seeks to 'provide a voice for employers at a national and international level'<sup>35</sup>. Because of its broad membership base, this organisation has the widest interest in economic immigration and the most resources to lobby government. The CBI is definitively a core insider group. Internal cohesion is strong, and given 'the successful monopolization of business interests the CBI enjoys' (Menz 2011, 159), the organisation possesses a significant degree of power to influence policy.

Other large employer associations such as the British Chamber of Commerce (BCC) were also, to some extent, attentive to economic immigration policy under the Labour administrations. The BCC has its roots in local businesses (although its membership is far more diverse), representing 104,000 business members in a variety of sectors. Two other employer associations, the Institute of Directors (IoD) and the Federation for Small Businesses (FSB), purportedly lobbied the Labour government on economic immigration policy (Menz 2008; Caviedes 2010; Somerville 2007). However, both organisations declined an interview with the author because contrarily they claim that they did not lobby on this area in the early 2000s. In their response the IoD stated that 'immigration is an area which we have not been able to donate significant resources to', and the FSB similarly stated they had not done any work on the particular issue of immigration policy in the UK. This being said, the IoD have expressed a 'liberal

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<sup>35</sup> <http://www.cbi.org.uk/about-the-cbi/>

worldview on immigration’ and have released statements of support for an expansionary approach to immigration policy generally, including endorsing a policy of total freedom of movement of labour within the EU (IoD 2007). These major employer associations possess insider status, and comparatively have the most resources to lobby government. However, the CBI was far more prolific in lobbying the Labour governments on economic immigration than the other associations.

#### *4.3.2 Professional bodies/Sectional interest groups*

Sectional interest groups which were concerned with economic immigration policy consisted of those organisations which rely heavily on foreign labour to fill labour market shortages, such as in the agricultural sector and the hospitality sector. Through a process of document analysis and snowball sampling, my research identified four main sectional bodies which were concerned with economic immigration policy in some capacity. These included the National Farmers Union (NFU), Universities UK (UUK), the British Medical Association and the British Hospitality Association (BHA).

The NFU is the largest farming organisation in the UK and provides professional representation for Farmer and Grower members. UUK is the representative organisation for UK universities, consisting of 134 members. The British Medical Association is a voluntary professional association and is the main organisation which represents doctors in the UK. The BHA is the leading representative organisation in the hospitality industry, representing hotels, restaurants and food service providers. While these organisations have insider status, they represent specialist insider groups which are consulted with on the specific migration category applicable.

#### *4.3.3 Labour Unions*

For British trade unions, immigration has long raised ‘major questions related to trade union identity, purpose and roles’ (Lucio & Perrett 2009, 329), and thus trade unions have historically adopted a reserved stance on the issue. In the post-war period mass labour immigration was presented by the state as temporary, which seemed to be more tolerable as this would avoid the basic fear of unions – that of losing bargaining power. However, as temporary immigration turned to settlement in Europe, and changes in the demography of migration flows (such as the feminisation of immigration) began to occur, trade unions were led to a contradictory political position:

As far as trade unions had included migrant workers and were prepared to defend their rights, it seemed logical to back these workers in their demands and plead for lenient admission policies in such cases. On the other hand, these lenient policies would swell the number of new immigrants, some of whom would immediately or eventually enter the labour market. The dilemma of cooperation or resistance thus took a new form, and was intertwined with the dilemma of inclusion or exclusion of migrants in the trade unions' (Penninx & Roosblad 2000, 7).

There was a persistent dilemma for unions then. On the one hand, migrant labour could depress native wages and a surplus of labour could contribute to native unemployment. On the other hand, a message of international solidarity of workers, and the opportunity of increasing union membership through recruiting migrant workers would give the movement stronger collective bargaining power (Ibid, 8). Unions largely conceded to the latter strategy, and the movement has consequently become more inclusive and supportive of immigrant workers. This has included efforts to increase migrant union membership through schemes such as Unison's Migrant Workers Participation Project<sup>36</sup>. In terms of any lobbying efforts, the focus of major unions in Britain has been on increasing migrant workers' rights and tackling irregular immigration, indeed this has been the case since the 1970s<sup>37</sup>.

Where once unions tended to use more militant tactics and outside lobbying strategies, since the late 1990s unions have tended to adopt a more 'insider' relations based approach (Parvin 2007, 15). Unison and the Trade Union Congress (TUC) employed such insider strategies, but it is the TUC which is the main umbrella union in the policy community. However, their involvement has been more focused on migrants' workers' rights and reducing the exploitation of migrant labour. For example, both the TUC and Unison were involved in setting up the Gangmasters Licensing Authority<sup>38</sup>. Unions

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<sup>36</sup> The project, set up by Unison, ran from 2008-2010 and aimed to increase levels of migrant worker participation in the democratic processes of unions, increase number of migrant worker stewards and activists at all levels, reduce economic and social exclusion of migrants in the workplace and for Unison to achieve better services which meet the needs of migrant workers.

<sup>37</sup> TNA CAB 130/882 'Cabinet official group on immigration policy, minutes of meeting held on 25<sup>th</sup> November 1976. TUC calling for 'much firmer controls on unauthorised employment, especially during the current period of high unemployment', especially in the catering industry.

<sup>38</sup> The GLA is a non-departmental public body set up in 2005 to protect workers from exploitation in the following sectors: agriculture, horticulture, forestry, shellfish gathering and food and drink processing and packaging. The body consists of 30 members from industry and government. The GLA Act 2004 was passed as a result of the 2004 Morecombe Bay cockling disaster when 21 migrant cockle pickers were drowned by an incoming tide. The victims were irregular migrants and were described as untrained. Trade unions were heavily involved in the set-up and running of the GLA.

such as Unison have also lobbied on specific migration categories or occupations<sup>39</sup>. Nonetheless, unions have not lobbied for a more expansionary approach to policy as such. This is partly because ‘unions for the most part, particularly with regards to EU migration were not in opposition and were in fact generally supportive [of Labour’s immigration policy]’ (Interview with former TUC officer, 2011).

The ideological difficulties unions have faced in relation to immigrant workers, coupled with a loss of legitimacy and power post-Thatcher, and Labour’s distancing from trade unionism (symbolised by their removal of clause 4 from their constitution), has meant that unions played a less significant role in economic immigration policymaking than one might assume. This was in part political; whilst the Labour Party had once been heavily financially dependent on the trade unions (75 per cent of its funds came from unions in 1985 for example), the Party ‘knew that it could not look business-friendly and independent unless it broke that link’ (Brown 2011, 411). The TUC continued to have insider status under the Labour governments, but it was more akin to ‘peripheral insider status’, as their role was more cosmetic than instrumental. Labour unions tended to use organisational formation strategies more frequently than other types of interest groups. Consequently their ties and connections with NGOs, and to some extent with specific Labour backbenchers, are stronger than other interest groups.

#### ***4.3.4 Lobbying strategies***

Interest groups such as trade associations used almost exclusively inside lobbying strategies, targeted at the national level (as opposed to the supranational EU level). These strategies included meeting with officials and civil servants, consultation responses and being members/attending various stakeholder forums or taskforces. Indeed, organisations such as the CBI and the sectional interest groups identified above, employed every inside strategy outlined in table one with the exception of court-related strategies. In terms of “targets” or negotiating with branches of government, those organisations with core insider status focused their lobbying efforts on the Home Office and the IND/UKBA. In the early 2000s lobbying efforts were also pressed against the

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<sup>39</sup> For example, when the Labour government changed the criteria to obtain a work permit as a senior care worker to requiring an NVQ level 3 and to be paid £8 an hour, Unison campaigned against this as it could potentially make many senior care workers, who were Unison members, irregular. Gwyneth Dunwoody MP became involved and lobbied the Home Office, and eventually the pay criteria were reduced to £7 an hour (Thomson interview, 2011).

Department for Education and Employment (DfEE) where the work permit functions were held at the time. Organisations which have insider status but possess more “technical” or “peripheral” status, such as sectional interest groups have on occasions targeted their lobbying at their ‘owning’ departments. For example, the NFU has lobbied on SAWS to the Department for Environment, Food and Rural Affairs (DEFRA) (Interview with James Potter, NFU, 2011). Likewise, UUK had on-going meetings with what was the Department for Education and Skills (DfES<sup>40</sup>). Core insider groups, such as the CBI, whilst lobbying the Home Office, had also lobbied what was the Department for Trade and Industry (DTI) and ‘when needs be go to the top [i.e. the core executive]’ (Interview with CBI, 2011). The CBI also liaises with agency personnel in their lobbying efforts:

Because we have a larger capacity than other business organisations to mirror up the government, in that we will build our organisation parallel to the government, so that might be the Director General sees the Home Secretary every so often, I see the immigration minister every so often, I’m in touch with the chief executive of UKBA when policy needs. My team are seeing people who are working on the policy development and the idea is just to be able to articulate very clearly to them, when they want it, where business is on the issues they are discussing (Interview with CBI, 2011).

In terms of ‘delivering’ lobbying, most corporations are represented by an employer association. At times these employer associations have then contracted out their lobbying activities to lawyer groups, such as the Immigration Law Practitioners Association (ILPA). Other corporations contract their lobbying activity to lawyers and are also members of a larger employer association. For example, pharmaceutical company GlaxoSmithKline (GSK) hire lawyer group Fragomen to do their lobbying on immigration, but are also a member of the CBI.

Consistent with the literature on interest groups, core insider organisations such as the CBI predominantly used insider lobbying strategies and only used outside lobbying strategies, such as contacting the media, as a last resort in their lobbying efforts:

We tend to do a lot more work privately – we are a lobbying organisation, not a campaigning organisation. Our campaigns are there when we need to; it will appear in the press when we need to. Most of our work we did in private and that’s always the way we chose to work. We want to be constructive (Interview with CBI, 2011).

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<sup>40</sup> Remit of higher education is currently (2014) within the Department for Business and Innovation (BIS)

Other organisations which had less of a central role in stakeholder engagement suggested that they may be more predisposed to using outside lobbying strategies if required: ‘...we’re probably a bit more robust in our criticism than the CBI but then we’re not the first organisation that the government turn to in the way that the CBI is’ (Interview with BCC, 2012). Most lobbying activity on economic immigration policy by employer and trade associations was ultimately conducted in private: ‘no employer was standing on TV saying “we need more labour migrants”, it just was not something they wanted to put their heads on the parapet on, so whatever they were saying they were saying mostly privately’ (Interview with Sarah Spencer, 2011).

#### *4.4 Think tanks*

While think tanks arguably do not lobby government in the sense that they do not necessarily call on government for specific action, they do offer their ideas to policymakers in the hope that they will be adopted (Parvin 2007, 17). Two specific non-state organisations with a promotional cause, as opposed to private interests’ cause, were particularly influential and thus constitute part of the economic immigration policy network – the Institute for Public Policy Research (IPPR) and Migration Watch. These two organisations played a significant role in economic immigration policy under the Labour governments in very different ways.

The ‘practice of “thinktankery” is above all about the mediation of ideas’, and the dissemination of these ideas in the public domain with the intention that this will affect policy (Schlesinger 2009, 4). Think tanks are thus in the business of knowledge production and policy discourse. Stone (1996) argues that think tanks have influence rather than direct impact on policy formulation, and that they do so by ‘help[ing] to provide the conceptual language, the ruling paradigms, [and] the empirical examples that become the accepted assumptions for those in charge of making policy’ (Ibid, 110).

In line with the doctrines of New Public Management, some have argued that ‘straddling institutions’ such as think tanks, consultants, and major accountancy firms have become the key advisors in government reform (Mulgan 1996). Much like their Conservative predecessors ‘New Labour supporting think tanks provided a cadre of recruits for advisory posts in government and also for ministerial careers’ (Schlesinger 2009, 7). The movement and sharing of staff between government and think tanks,



eased by the use of secondments, ‘meant that larger think tanks have become important insider groups, with the ability to push for policy reforms at the highest level of government’ (Parvin 2007, 18).

When talking about the role of non-state actors in this case of policy change, it is impossible to ignore key actors from think tank IPPR. IPPR labels itself as, ‘the UK’s leading progressive thinktank’, and adopts a centre-left position. Their objectives include: combating inequality, empowering citizens, promoting social responsibility, creating a fair and sustainable economy, and revitalising democracy<sup>41</sup>. The close relationship between IPPR and the Labour Party began when the think tank led the groundbreaking *Commission on Social Justice* in 1992, which ignited a change and revitalisation of centre-left thinking. Described as ‘Labour’s civil service’ (Taylor quoted in *The Observer* 2003), the close links between the Labour Party and IPPR were (and continue to be) evident. Critics have suggested that IPPR was part of an ‘intellectualist fallacy’, constrained by its special relationship with the Labour Party and the New Labour government (Bentham 2006, 167). Fifteen members of IPPR staff moved into government jobs upon Labour’s 1997 victory<sup>42</sup>, and more recent IPPR alumni include current shadow Secretary of Education Tristram Hunt and shadow minister for Care and Older People Liz Kendall.

IPPR established itself as a ‘critical friend’ of Blairism (Parvin 2007, 17) and was thus a legitimised insider group under Labour. The organisation was decisively part of the policy community, particularly as it had congruent beliefs and objectives with the government:

In the early years [2000s] we were very much on the sort of uber progressive wing of this....I think the economic orthodox view – you know that economic migration relatively unrestricted was a good thing for the UK economy – IPPR was a cheerleader for that (Interview with Finch, IPPR, interview 2011)

In contrast to IPPR, from its inception in 2001 Migration Watch (MW) lobbied/(s) for a more restrictive approach to immigration policy. MW labels itself as, ‘an independent thinktank’, although it is arguably more akin to a pressure group (Grant 2000). They specifically lobby on immigration, whereas IPPR cover a broad range of public policies.

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<sup>41</sup> <http://www.ippr.org/about-us>

<sup>42</sup> Most high profile moves included: Tessa Blackstone, Patricia Hewitt, Matthew Taylor, Nick Pearce, Geoff Mulgan.

MW's organisational objectives are outlined in their mission statement: 'we recognise that many immigrants have made a valuable contribution to our society in terms of both skills and diversity, so we are not opposed to immigration that is moderate and managed. At present it is neither'<sup>43</sup>. MW state that their purpose is to, 'monitor developments, conduct research, and provide the public with full and accurate facts placed in their proper context'. While IPPR argued the case for expanding immigration policies in the early 2000s, MW called on government to reduce immigration including, but not exclusively, economic immigration:

Our role was to provide a factual base for those who wished to criticise the government's policy. To put it another way it was ammunition. Without that, journalists who wanted to write about it didn't know where to begin. At that time the Home Office issued at least 120 pages of statistics every year, and unless you knew the system, its improved now, but then unless you knew something about the system you just couldn't remotely make sense of it, you just had to write down what the Home Office told you, which was not always true. Certainly not always the complete truth. So we were critical in that respect, nobody else was doing it, they're still not (Interview with Sir Andrew Green, MW, 2012).

Under the Labour governments MW was deemed an 'ideological outsider' (Grant 1995), as the fundamental aims of the organisation were seen as discordant with the government's objectives. Nonetheless, as founder Sir Andrew Green contends, MW's 'main impact has been on public opinion, which has been very substantial indeed. I think the concern was here anyway because real people lose their jobs and so on and so forth' (Interview with Migration Watch, 2012). Migration Watch has since acquired insider status under the current Coalition government, as the broad objectives of the organisation complement the Coalition's aims to reduce net migration.

#### *4.4.1 Charities and humanitarian NGOs*

Freeman hypothesised that humanitarian interest groups are less able to influence economic immigration policy in comparison to business organisations: 'With a larger supporter base in particular and superior organizational characteristics in general, labour market interest associations stand in a much more privileged position to shape immigration policy than humanitarian NGO's' (Menz 2008, 91). The notable absence from the economic immigration policy network is indeed a prominent NGO or rights-based group. While NGO's have concerns and a marginal influence on immigration

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<sup>43</sup> <http://www.migrationwatchuk.co.uk/who-we-are>

policy (Statham & Geddes 2006), their objectives tend to be towards migrants' rights, especially those immigrating for humanitarian reasons. The Joint Council for the Welfare of Immigrants (JCWI) was the most prominent NGO in terms of the economic immigration agenda, but their efforts were focused on resident labour migrants' rights.

#### ***4.4.2 Lobbying strategies***

In contrast to employer associations and sectional interest groups, think tanks and pressure groups employed outside lobbying strategies far more. Groups which had no insider status, such as Migration Watch, used exclusively outside lobbying strategies, primarily media-related, such as writing newspaper articles and distributing press releases:

The key is to build trust with the press, they need to know that you're facts are right, and we have that trust from most of the press. The Guardian have declined to mention us for the last 10 years. The Times is very pro-immigration nowadays, the Financial Times always has been for economically liberal reasons, but the rest of the press we have a strong relationship with (Interview with Sir Andrew Green, Migration Watch, 2012).

Detecting and measuring the direct influence of think tanks on policy outcomes is notoriously difficult. Bentham (2006, 170) goes as far as to say that it is 'pointless' to attempt to do so, because of the 'complexity of disentangling cause from effect in the dense and multi-layered networks' in which think tanks operate. Moreover, think tanks produce knowledge and disseminate ideas, and are thus 'second-hand dealers in ideas' (Desai 1994), rather than lobbyists of government as such.

Nonetheless, publishing ideas and research in the public domain is a form of outsider lobbying, and it is possible to examine the congruence between the ideas published by think tanks and the degree of concordance with policy outcomes. The congruence procedure devised by Yee (1996) and developed by Pautz (2011) is described as,

establishing congruence or concordance between ideas and the content of policy decisions. If ideas emerging from think-tanks are consistent with policy proposals from governments or leaders of political parties, this can be taken as an indication of influence' (Ibid, 190).

The congruence procedure does not claim to establish causal links between think tank ideas and policy outcomes, and thus avoids the risk of post-hoc rationalization. This being said, the extensive use of secondments under Labour, and the close links between

IPPR staff and the Labour Party in particular, make determining the influence of an organisation, rather than individual actors, problematic.

**Table 2: Economic immigration policy network under New Labour**

<i>Trade/employer associations</i>	<i>Professional bodies/sectoral interest groups</i>	<i>Labour unions</i>	<i>Think tanks/pressure groups</i>	<i>NGOs/charities</i>
<ul style="list-style-type: none"> <li>– Confederation of British Industries (CBI)</li> <li>– British Chamber of Commerce (BCC)</li> <li>– Institute of Directors (IoD)<sup>44</sup></li> </ul>	<ul style="list-style-type: none"> <li>– National Farmers Union (NFU)</li> <li>– Universities UK (UUK)</li> <li>– British Medical Association (BMA)</li> <li>– British Hospitality Association (BHA)</li> </ul>	<ul style="list-style-type: none"> <li>– Trade Union Congress (TUC)</li> <li>– Unison</li> </ul>	<ul style="list-style-type: none"> <li>– Institute for Public Policy Research (IPPR)</li> <li>– Migration Watch</li> <li>– Demos</li> <li>– Statewatch</li> </ul>	<ul style="list-style-type: none"> <li>– Migrant Rights Network</li> <li>– Joint Council for the Welfare of Immigrants (JCWI)</li> </ul>

#### 4.5 Objectives of lobbying

The British system of political economy has typically been regarded as a liberal market economy (Hall & Soskice 2001, 8). There is consequently a lack of coordinated wage bargaining arrangements, and firms primarily coordinate their activities via competition market arrangements (Ibid, 8). As a result, there are incentives for employers to delay costly technological advancements in favour of depending on low-wage labour (Menz 2008, 156). The flexibility, availability, often superior training and educational background, and soft factors such as a stronger work ethic and commitment affiliated with migrant labour, has meant that British employers on the whole embrace immigration (CIPD 2013). Declining apprenticeship and training schemes in Britain

<sup>44</sup> The IoD and the FSB declined an interview with the author.

have further fostered the reliance on importing low-wage labour. Employers' preferences for foreign labour to plug shortages is however a relatively recent phenomena; in the mid-1980s for example the preferred solution for employers was to increase worker training (CBI 1984, 14). Moreover, employers have become accustomed to radical fluctuations in government immigration policy, and consequently they have safeguarded against an over reliance on importing foreign labour by concordantly pursuing other strategies to achieve labour market flexibility. Nonetheless, the Chartered Institute of Personnel and Development (CIPD) have consistently highlighted that their members are more likely to consider hiring migrant workers than the 'core jobless', such as the over-50s and lone parents (CIPD 2005, 3; TUC 2007, 12).

Gary Freeman argued that employers who relied on unskilled or low-skilled labour were the principal beneficiaries of an expansive immigration policy, and would thus represent the dominant lobbyists on the issue. Conversely, lobbying for expansive policies because of skills shortages in high- skill sectors was far more prolific than lobbying to address labour market shortages. In contrast, lobbying for expansive policies in the low-skilled sector was minimal. For example, the NFU only lobbied government on specific issues of concern, such as limits to the Seasonal Agricultural Workers Schemes (SAWS). The construction sector, which Freeman cites as one of the main beneficiaries of immigrant labour, similarly did not pressure government for any type of expansion (Caviedes 2010, 140).

The organised interests approach broadly assumes that employers will lobby for expansive immigration policies for instrumental reasons. In other words, employers lobby to fill shortages in their own sectors. Yet the motivations for lobbying for expansive policies were more nuanced. Employers' motivations for a more liberalised policy were tied up with their perception of the new emerging global market. The business community perceived a change to how the economy was functioning in the 2000s; from a national to a global economy, which led to a fundamental change in how employers considered immigration. In the late twentieth century immigration was seen as a minor human resources issue, where work permits were sought on an ad hoc basis. But the change (or perceived change) to a globalised economy led many employers to regard immigration as an integral component of being a global firm, borne partly 'out of a conviction that the UK is now in global competition for the best brains' (Menz 2011,

13) or as CIPD (2004) put it, an ‘international war of talent’. Immigration became tied with trade relations, a growing global workforce and investment in emerging markets. And this in turn changed both the importance of immigration for business, and the way they responded to the issue in the 2000s:

It [immigration] went from been an operational issue – am I getting service here? Am I getting the right people in? To one of – is this critical to invest in Britain as a proposition? And that was a relatively fundamental change and led to a change in the stead of what we do (Interview with CBI, 2011).

Employer associations cited the need to retain flexibility in the immigration system as a result of globalising and expanding firms, especially in emerging markets such as China (Interview with GSK, 2012):

There was a change in the global economy, in our membership base. It is not normal now for a company of any size to be working out of the UK alone. But that kind of globalisation of the economy is the fundamental difference between the world pre 1997 and the world of 2011, and that process took place in the period 1997-2010 so the demand side from business for the ability to meaningfully do business from Britain and the implication for the top end of the migration system- the economic tiers- is quite significant (Interview with CBI, 2011).

One employer also commented on the advantages that immigration can bring to working life; he suggested that having a culturally diverse team gives you a ‘better product’ (Interview with GSK, 2012).

Some organisations stated that their investment in immigration as a lobbying issue extended beyond the specific migration stream they represented. For example, employer GSK and employer association BCC, expressed concerns over the Coalition government’s student immigration policy (Interview with GSK, 2012 Interview with BCC, 2012). A few interest groups, such as the NFU, also claimed that they had been involved in community cohesion projects. The degree to which these organisations take action on such issues, rather than just being rhetoric, is debatable. Nonetheless, the multifaceted issues and concerns that employers’ state they have over immigration policy challenges the assumptions of the organised interests approach, in that the interests of members are not quite as homogenous as the approach assumes.

#### **4.6 Organised interests: power to change?**

While other accounts argue that non-state actors were the critical actors in this case of policy change (Somerville & Goodman 2010; Menz 2008; Caviedes 2010), my research found that the government had already begun to reorient the policy framework, and that non-state actors only had an influence in terms of tweaking the policy. My empirical findings demonstrate that non-state actors only played this role because the Home Office made a concerted effort to become more engaged with stakeholders. Moreover, in line with the ideas of the New Labour Party, the Labour governments were generally keen on appeasing business interests. In contrast to the organised interests approach which assumes that policy networks change policy, my research found that, conversely, the policy reforms consolidated the policy network. Changes under the Labour administrations to immigration policymaking – namely the establishment of the points-based system (PBS) and the creation of the Migration Advisory Committee (MAC) – have formalised the role of non-state actors influencing immigration policy, consolidated the policy network and institutionalised a form of lobbying, ‘lobbying with evidence’.

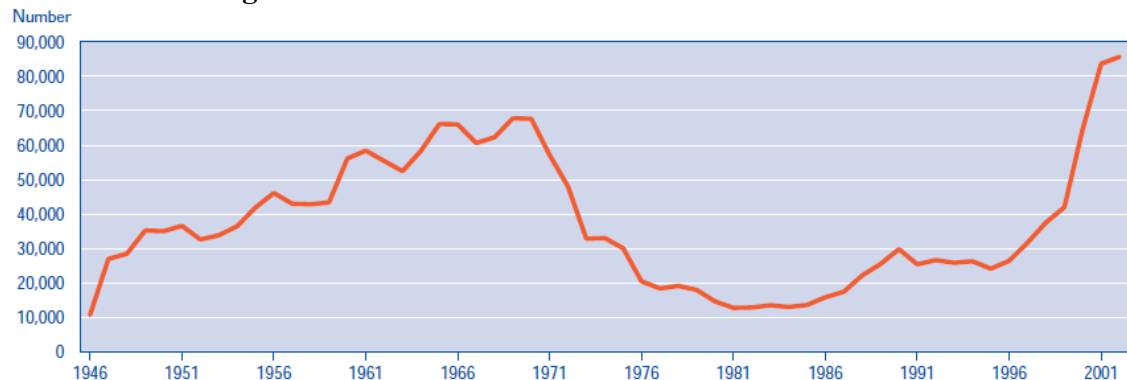
##### **4.6.1 Economic conditions and ‘accommodative’ policies**

The claim that organised interests drove the policy shift has been conflated by some with the strong economic conditions Britain was experiencing in the late 1990s (Caviedes 2010; Interview with Jonathan Portes, 2011). The Labour Party governed in a context of strong economic growth, low unemployment and low inflation. In 2001, unemployment reached a 25-year low of 3.5 per cent and inflation was 1.8 per cent, the lowest in Europe. As Chancellor Gordon Brown boasted in 2004, ‘Britain is enjoying its longest period of sustained economic growth for more than 200 years... the longest period of sustained growth since the beginning of the Industrial Revolution’ (Brown quoted in *The Telegraph* 2004). Employers’ demands for immigrant labour are, of course, determined by economic conditions. However, the conflation of strong economic conditions with the interventions and influence of organised interests is a fallacy.

Strong economic conditions, primarily labour market shortages and skills shortages, did however play a part in the story of policy change. Gary Freeman hypothesised that there is a ‘good times/bad times dynamic in which migration is tolerated or even encouraged

during expansionary phases, but becomes the focus of anxieties when unemployment rises' (Freeman 1995: 886), and in the case of immigration policy in Britain this is certainly befitting. Strong economic conditions did, to some extent, generate an increase in demand from employers for foreign labour. The demand for work permits had been rising throughout the 1990s with a sharp rise after 1994 (see figure 3). From 1995-2002, total work permit applications rose steadily every year from 38,617 to 155,216, an increase of over 300 per cent. The largest annual increase was between 1999 and 2000 when applications rose by almost 42 per cent. However, this rapid increase between 1999 and 2000 was mostly attributed to the boom in the ICT sector in the late 1990s, at which point the government added ICT occupations to the shortage occupation list (the process of which is discussed below). Clearly the demand for immigrant labour was rising in the late 1990s, however only in specific sectors. This leads economist Jonathan Portes to conclude that the policy change was 'accommodative' (Interview with Jonathan Portes, 2011), by which he means that ministers simply responded to employers' demand for foreign workers.

**Figure 3: Number of work permits and first permission issued; United Kingdom 1946-2001**



Source: Department for Employment 1997; Overseas Labour Service Work Permits (UK); Clarke and Salt, 2003, 564

But it would be wrong to see immigration policy change as a simple function of economic growth. Since Commonwealth immigration began in the 1950s, the UK economy had gone through several periods of strong growth but none of these had led to policy liberalisation. On the contrary, despite several periods of growth and low unemployment, immigration policy had remained on the same restrictive path since the late 1960s. As discussed in chapter two, even when the economic case for immigration was put within government, this case was rejected by the Home Office, which adopted a



more restrictive approach based on non-economic rationales. Britain's immigration system has long been a 'seasoned one, operating through a system of rules not primarily responding to labour market demands' (Salt & Kitchling 1990, 277). Thus immigration policy has not historically mapped onto economic cycles, and it has ordinarily been unresponsive to economic arguments within government (Consterdine & Hampshire 2014 forthcoming).

As a result of strong economic conditions in the late 1990s, the demand for work permits was rising, and this was no doubt a factor which politicians considered when adjusting policy. Therefore I argue that a strong economic climate was a necessary condition for policy change. Nonetheless, to assume that strong economic conditions alone drove the liberalisation of policy is economically deterministic and relegates the role of governments to a mere passive broker of interests. Whilst economic conditions and the actions of organised interests are interrelated, these two factors are disparate and should not be conflated. Following many of the policy reforms, the government subsequently established multiple sector panels which included employers and trade unions to provide information to the government on specific sector shortages. Yet the point remains these panels were set-up by government, without lobbying from employers and often after policy changes had been made. These policies were ultimately made by governmental actors, as Caviades (2010, 109) notes:

Though economic growth is a necessary pre-condition, it alone does not directly produce higher numbers of immigrants without policies that make the application process for work permits sufficiently cost- and time-effective for employers to alter their recruitment patterns'.

#### **4.7 Need for action: origins of policy change**

In contrast to scholars who claim that non-state actors were responsible for the policy shift (Somerville & Goodman 2010; Caviades 2010), my research shows that the government were already establishing many of these programmes in the late 1990s and early 2000s, long before interest groups became actively engaged in the issue (this will be discussed in detail in chapter six). Programmes such as the HSMP, the Innovators Scheme, and the Fresh Talent Working in Scotland scheme had all been in the making in the late 1990s with limited consultation from interest groups. Politicians such as former immigration minister Barbara Roche had begun to articulate the government view that immigration was to be seen as part of an economic growth strategy,

apparently unprompted by any non-governmental influence (Roche 2000; Interview with Roche, 2011). In 1998 the DTI had similarly cited the need to expand economic immigration routes to meet economic growth targets (DTI 1998). Overall the evidence suggests that the Labour governments had been considering the idea of expanding economic immigration long before non-state actors became decidedly engaged on the issue (see chapter six for details).

An example of government leading autonomously on policy reform, without pressure from non-state actors, can be demonstrated with the establishment of the sector-based scheme (SBS). The SBS was a scheme set up in 2003 to recruit foreign labour into the catering and hospitality sector. The hospitality sector had been experiencing labour market shortages in the late 1990s (Burns 2003) and with 10,087 permits issued to the hospitality sector in 2002, representing 11 per cent of all work permits, the shortages were evident to the government (Clarke & Salt 2003, 567). Given these shortages, one might expect this scheme to have been driven by lobbying from the hospitality sector. Yet the major trade association claimed that they never lobbied for such a scheme:

The government suggested it [SBS] and we said yeah that's fine. I'm not sure it was anyone's greatest moment... in the end that scheme just had to go and nobody really disagreed with that. There was evidence that it was being misused and we couldn't really defend it on those grounds (Interview with BHA, 2012)

The motivation for the scheme was due to the shortages identified. However, the SBS was not a product of comprehensive lobbying from the hospitality sector. It was the government which identified the shortages, and it seems it was the government, acting relatively independently, which designed and established the SBS.

Ultimately economic immigration policy was elite-driven and many policy decisions went ahead despite heavy lobbying:

One such thing was the restrictions on the SAWS where I remember the lobbying from business saying there's going to be crops rotting in the fields and nothing on the shelves of the supermarket if you keep doing what you're going to do. We looked into it and thought well we don't believe that and we carried on' (Interview with former SpAd, 2012).

Both policy decisions – the establishment of the SBS in the absence of any concerted lobbying, and conversely restrictions on SAWS, despite the NFU's lobbying – demonstrate that immigration policymaking was elite-driven. Immigration

policymaking under Labour conformed to the purportedly ‘outdated’ Westminster model:

You’ve got a consultation type approach where you’re trying to involve different interests in discussions about government policy, but above that you’ve got another layer which in a sense is where policy is really made and I think that (certainly in relation to immigration) was a pretty elite occupation in the sense that the policy was being driven overwhelmingly by a very small group of officials in the Home Office, some senior people in the agency plus a few key figures around the centre of government and one or two people from the Treasury. Most of the fundamental policy tended to be made in elite circles (Interview with former SpAd, 2011).

While there is limited evidence to suggest rigorous lobbying efforts from employers, as discussed skills shortages were becoming apparent to the government in the late 1990s. The National Skills Task Force had identified skills shortages in the information technology, communications, and technology (ITCE) sector in 1998 for example (Caviedes 2010, 118). Following this, in 1999 the ITCE Skills Strategy Group within DfEE published a study on Britain’s ITCE skills-shortage areas, which suggested that some occupations should be added to the Work Permit shortage occupation list (DfEE 1999). Within a month, several ITCE occupations had been added to the shortage list, and the previous requirement of two years postgraduate experience was dropped for ITCE managers (Caviedes 2010, 118). As a result, the number of work permits issued to the computing science sector rose by almost 600 per cent between 1995 and 2000 (Dobson & Salt 2004, 137). The government subsequently set-up an IT sector panel within Work Permits UK, in which representatives of the union associations Amicus and the TUC, and employers Intellect and PCG, offered information and advice as to which professions should be placed on the shortage list.

The reforms in the IT sector demonstrate the common trend of organised interests in this narrative of policy change. While there were shortages in the industry, the action to resolve these shortages was instigated by the government. The Labour government identified shortages in an industry which they believed would be lucrative and increasingly vital to the British economy. At the time specialist IT skills were in short supply amongst the native workforce, making recruiting foreign labour imperative. By 2002, home-grown IT skills were abundant, and ITCE occupations were thus removed from the shortage list. It was the government, without concerted lobbying from the industry, which added some IT occupations to the shortage list. The government went

on to set-up sector panels in order to involve organised interests, demonstrating the Labour government's dedication to stakeholder engagement. While the changes were met with support, the changes were not a consequence of concerted lobbying from the industry.

Employers and employer associations were only fully engaged on the issue of economic immigration when the policy changes had begun, and in particular when the points-based system (PBS) was developed. This is not to suggest that employers had no interest in immigration. There was informal lobbying on what was then called 'overseas labour', but pre-2000s this was on a more ad hoc basis and mostly involved individual employers bargaining for more work permits with Members of Parliament or their staff: 'there was a fair bit of scope for deals to be done in the corridors and agreements to score a couple of work permits being issued in this direction and the rules being bent' (Interview with Don Fynn, 2011). Employers in the 1990s were lobbying for less bureaucracy and reducing red tape in obtaining individual work permits rather than actual changes to the policy framework (Interview with Spencer, 2011; Interview with Roche, 2011; Spencer 2011).

Employers and employer associations' lack of interest in lobbying on the policy issue is reflected in terms of how many resources employers invested into lobbying strategies on immigration. For example, an interviewee from the CBI dates their interest in economic immigration from around 2005. He went on to suggest that since 2005 immigration will take up 50 per cent of a policy advisor's job, whereas previously it was approximately 20 per cent (Interview with CBI, 2011). Hints at the CBI's first formal policy on economic immigration did not materialize until 2005 (Anderson 2005). Similarly, the NFU stated that they had no immigration policy until 2006 (Interview with NFU, 2011). Other organisations, such as UUK, claim that their lobbying efforts have been purely 'reactive' to government policies (Interview with UUK, 2012). With the exception of direct contact with public officials and/or members of Parliament, these organisations did not practice any of the action strategies outlined above in table one (Kriesi et al. 2010, 232).

The notable exception to this lack of interest from non-state actors in the late 1990s was IPPR, who published research called *Strangers and Citizens* in 1994, edited by Sarah

Spencer. This was the first substantial attempt to convince government to link immigration policy with economic policy, and in turn advocated a need for evidence-based policy. Alan Findlay, one of the authors of the piece and a prominent migration economist, concluded:

(1) that labour skill shortages could be filled by migrant labour; (2) that changes in the organisation of labour, particularly large companies require international circulation of staff; (3) that there may be grounds for entrepreneurial immigration as a device which generate jobs (Findlay 1994, 200).

Within the report, Spencer suggested that a serious economic investigation was ‘long overdue’, and that, ‘inadequate research and a poor statistical base is a source of misinformation and weak policymaking’ (Spencer 1994, 344). The report was categorically dismissed at the time by both the government and the Labour Party by Spencer’s own admission. However, she claims that the now infamous 2001 report on the economics of immigration (Glover et al. 2001; discussed in chapter six) was set-up as a direct consequence of *Strangers and Citizens* (Interview with Spencer, 2011). It is hard to discern whether the ideas from *Strangers and Citizens* were diffused and adopted by the Labour Party over time, and whether the 2001 report was a direct consequence of the publication as Spencer and Alex Balch (2010) suggest. A myriad of circumstances, initiatives and government motivations suggests not (discussed in chapter six). Nonetheless, as Alex Balch has stressed ‘it is possible that elements of the Labour government had at least partially assimilated the recommendations outlined by Spencer in 1994’ (Balch 2010, 148). Much of the shift in policy framing was synonymous with Spencer’s recommendations, and thus there is undeniably an element of congruence between the ideas of IPPR and the policy reforms which transpired. However, I would attest that it is an exaggeration to suggest that the publication of *Strangers and Citizens* (or indeed any single research publication) caused the policy shift. Rather, IPPR as an organisation personified the ‘policy primeval soup’ (Kingdon 1995), waiting for a ‘window of opportunity’ (Labour’s electoral victory) to feed their policy solutions to government. IPPR thus had a prominent role in shaping, developing and reinforcing the ideas of the Labour government, often doing so by producing evidence to substantiate their beliefs.

Arguably actors from IPPR, such as Spencer, represented policy entrepreneurs in this story of policy change. The organisation persistently spoke of the positive economic

benefits of immigration throughout the 1990s and early 2000s and became ‘associated with the managed migration maximise the benefits/be open to the benefits of migration approach’ (Interview with Spencer, 2011). However, it was specific actors originally from IPPR who then moved into government positions, rather than the organisation itself, which proved to be highly influential in immigration policymaking under Labour, in particular current Director of IPPR Nick Pearce. Pearce had been at IPPR until Labour’s 1997 victory. He then moved to government to become David Blunkett’s special advisor, firstly at the DfEE (1997-2001) and then at the Home Office (when Blunkett became Home Secretary). Pearce has been widely acknowledged as having a significant influence on these reforms; indeed many interviewees identified Pearce as the key actor in shaping immigration policy (Spencer 2007; Interview with Portes, 2011). Other pivotal actors on the immigration agenda, such as Matt Cavanagh (Blunkett’s special advisor in the Home Office) and Sarah Spencer, similarly had careers transferring or seconding between IPPR and the Labour governments.

Although these actors originated from IPPR, it would be wrong to assume that their recruitment was synonymous with the importing of ideas from the organisation. While these actors may have represented ‘important interfaces for think-tank analysts trying to bring policy ideas or policy problems to ministers’ attention’, ultimately ‘special advisors were loyal to their government, not to their former think-tank’ (Pautz 2011, 204). Pearce for example commented that whilst the links between IPPR and the Labour administrations were important and that ‘Sarah [Spencer] and others used her work as an influence on Labour through the PIU and other connections, I can’t personally claim that was the case’ (Interview with Pearce, 2014). Indeed Pearce had done very little work on immigration in IPPR before entering government.

In contrast to IPPR, the NGO sector had a very limited impact on the economic immigration policy agenda. It could be assumed that NGOs’ limited impact in this area reflected the hierarchy of the policy network, and a trend for governments to prioritise business interests over more humanitarian concerns (Menz 2008, 91). However, NGOs had a limited interest in lobbying for expansive immigration policies in the first instance. To the extent that NGOs were concerned with non-humanitarian migration, they were focused on the rights of resident migrants and family reunification rights, rather than any liberalisation of admissions more generally. The Joint Council for the

Welfare of Immigrants (JCWI) was the most prominent NGO in terms of the economic immigration agenda. The organisation developed a legalistic, case-by-case and London focused lobbying strategy (Interview with Flynn, 2011). Don Flynn, founder of the NGO Migrant Rights Network and formerly a JCWI policy officer, suggests that the shift in policy under the Labour governments somewhat confused the NGO sector, because it had been so predisposed to handling humanitarian migration exclusively:

One of the stances that they were committed to was that they weren't dealing with economic migrants they were dealing with people whose migration was based on human rights considerations. And they were adamant that they had to maintain that line of demarcation, that if anyone started talking about bogus migrants as economic migrants and so on that that had to be resisted. And it took quite a long time to dawn on them that at exactly the same time that you're adopting these defensive attitudes, actually the rules for economic migrants are being liberalised (Interview with Flynn, 2011).

Tim Finch (IPPR, formerly Refugee Council) similarly surmises that the NGO sector was ineffective in influencing economic immigration policy: 'I don't think what you would broadly call the migration sector had much of an influence on New Labour migration policy at all quite frankly, certainly not in government' (Interview with Finch, IPPR, 2011). Finch went on to suggest that the limited impact of NGOs may have been because there was no attempt at collaborating between the rights agenda and the private interests agenda, when the policy objectives were arguably mutually reinforcing.

In terms of employer associations, unions and sectional interest groups, all interviewees suggested that their concern and responsiveness to economic immigration policy did not develop until 2004 at the earliest. In contrast, the trajectory of policy change shows that the government had been exploring the possibility of expanding immigration policies as far back as 1998. While non-state actors, especially employers and trade associations, were supportive of liberalising policies, particularly initiatives which recognised labour shortages (CBI 2002a), this was conveniently in line with the government's policy. And whilst employers' input aided policy plans, it did not ignite a change in government thinking:

I think they [employers] helped. They helped clarify in our own minds what we believed was right, namely that there were jobs that needed to be filled, there were skills that we were short of, there was economic growth that would be curtailed, there was inflation that would accelerate if we didn't do it (Interview with Blunkett, 2012).

Employers' demands were seen as consistent with the governments immigration control agenda. The belief was that in order to reduce illegality, there must be legitimate migration routes to meet the demand. Alex Balch (2010, 131) suggests that this logic represents a shift from the Hattersley equation of the post-war period (discussed in chapter two) to the 'Blunkett equation' of 'more "good" immigration (economic migrants with skills that were needed in the economy) equals less "bad" immigration (asylum seekers and irregular migrants)'. Therefore whilst employers provided instrumental information as to how to regulate the system, it was only because their objectives were congruent with the governments that they had any influence:

Yes there was some lobbying by employers, but employers cut no ice really.... you've got the *Daily Mail* and the *Daily Express* running this as a story – i.e. the government's losing control of immigration – on a weekly basis, sometimes more than that, there was a constant flow of attacks to the press and the politics. The fact that the NFU wanted more Ukrainians really couldn't have mattered less politically. So it is quite misleading to say that they were driving immigration policy. They wanted more people, that's true. But if it had been seen as inconsistent with the control agenda they wouldn't have cut much ice. But it was seen as consistent with the control agenda because the view was that if you simply try and build up the border control and reduce the amount of immigration you will fail so long as there are people offering jobs...it was basically the same concept that you had to meet the demand side if you were to have an effective control policy on the supply side (Interview with Home Office Official, 2011).

With the exception of IPPR, other non-state actors such as employers and unions were relatively passive on the policy issue in the 1990s and did not attempt to exert influence through any established lobbying strategies. The Labour government introduced an overhaul to the immigration policy framework before non-state actors became involved in a meaningful way. Whilst organised interests, particularly employers, were supportive of 'the broad thrust of the government's proposals' (CBI 2002b), it was the government (and the political elite which constituted it), which necessitated a 'need for action', rather than organised interests.

#### **4.8 The agenda-shaping stage: development of the points-based system**

Organised interests played a far greater and instrumental role when the PBS was in development. Furthermore, their support for a new approach to immigration based on economic utility became more pronounced in the mid-2000s and interest groups began publicly endorsing the government's approach, thus exercising public-related strategies



on economic immigration for the first time (Kernell 1997; Kriesi et al. 2010). The impetus for the increased involvement of non-state actors was, however, government steered. The Home Office set up multiple consultations on how the new system would be administered, thus encouraging administrative strategies for collective action, which then led to an increased interest and lobbying activity from sponsors (employers and education establishments) (Interview with senior civil servant 2012). In other words, the process of establishing communication with organised interests was self-reinforcing. These consultations began in approximately 2001, and as the PBS went further down the road to development, stakeholder engagement in the Home Office only intensified.

Most interviewees commented that the Home Office started to become more engaged with non-state actors from 2001 onwards, although an interviewee from the CBI suggested that Home Office engagement with stakeholders, particularly in terms of administrative strategies, became more pronounced post 2005:

I think the Home Office before that period [pre 2005] tended to take quite a purist view which was “we are the guardians” and actually if we slip up we get hauled over the coals by the *Daily Mail*, and therefore we will be slightly less trusting in how we work with external parties because we don’t want to get ourselves into trouble. And I think that was evident in how they worked with us; it was always very polite, always very clear. But that kind of sense of co-working that exists with stakeholders today of being able to have a discussion where government says “this is what the manifesto says we will deliver, and therefore we need to deliver that, this is the kind of field of operation for which a system might be designed, which one sits best with stakeholders and why?” – that kind of discussion is much more extant today (Interview with CBI, 2011).

At a party political level, the increase in stakeholder engagement under the Labour governments can be attributed to the politics of the “New” Labour Party. The Labour Party were keen to distance themselves from the “Old” Labour brand associated with ideas of protectionism, nationalization and above all Keynesian economic ideas<sup>45</sup>. One of the main tenets of the revitalised Labour Party was a move to become ‘business-friendly’, perhaps best symbolised by Prime Minister Blair labelling the Party ‘the natural party of business’ (Blair 1998). This was not an unmet plea from the Labour government; former CBI president Clive Thompson stated that the relationship between the CBI and the Labour government in the early 2000s was ‘probably closer than at any other time in the last 25 years’ (Thomson quoted in Brown 2000). The Party were keen

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<sup>45</sup> The move from Old Labour to New Labour is discussed in detail in chapter five

to engage with business; hence I argue that the opening up of dialogue between non-state actors and the government was self-reinforcing and government-led.

Tenets of “Old” Labour were to some extent maintained. The TUC continued to hold some degree of insider status, and the Labour administrations often legitimized immigration decisions with reference to the TUC’s support on the policy, such as the A8 decision (Hansard 23 February 2004 col 23; Boswell 2009). Indeed, Blair affirmed that he ‘couldn’t agree more’ with the TUC’s stance on European immigration (Blair 2006). Perhaps the Labour Party’s concurrent ideological pulls between “Old” Labour and “New” Labour were best exemplified by a joint position paper, published by the TUC, the CBI and the Home Office in 2005. The paper emphasised the ‘joint commitment to support managed migration in the interests of the UK economy’, and stressed that ‘Government, employers and trade unions, in their separate spheres, are crucial’ to building such a policy, with the Home Office subsequently promising ‘to consult employers and trade unions about migration policies that are in the interests of Britain’ (TUC 2005). Indeed Blair’s consistent citing of CBI figures (PMOS 2004; Blair 2004) in relation to the economic benefits of immigration, as opposed to other government or academic figures, demonstrates Labour’s appeal to the business community. By citing such figures, this in turn allowed the government to ‘demonstrate a slightly broader base of democratic support’ (Boswell 2009, 121) to the public, than the narrower representational remit of which academics, in contrast, typify.

While unions’ support may have been used as a legitimising device by the Labour governments, their involvement in economic immigration policy in terms of the overall framework was however minimal. Although unions were supportive of many of the policy reforms, such as European enlargement (TUC 2006a), unions did not lobby government for a more liberal approach to policy. Moreover, concerns from unions, such as limited family reunion rights for temporary economic migrants, were both ‘ignored and met with a complete lack of understanding on the part of government’ (Menz 2008, 159). An interviewee from Unison suggested that while the union movement was starting to take a ‘progressive attitude to foreign workers, [they] were still behind the government in terms of their thinking’ (Interview with Unison, 2011). Nonetheless, the wider diminishing influence of unions on all types of policy partly explains their negligible impact on immigration policy. ‘Consultation rather than

negotiation' (Brown 2011, 407) was the bedrock of Labour's relationship with unions, as a former TUC officer argued: 'I don't think unions on any issue really under New Labour were informing policy' (Interview with former TUC, 2011). Major umbrella unions were nonetheless invited to respond to consultations and attend various stakeholder panel meetings; although there were occasions where union representatives were "accidentally" not invited (Menz 2008, 159).

The use of consultations on economic immigration policy amongst stakeholders greatly increased under the Labour administrations. The UKBA ran 24 stakeholder consultations on a variety of immigration policies (beyond economic), a marked increase in comparison to all previous administrations in Britain. The first major consultation on economic immigration – *Selective Admission-making migration work for Britain* – sought the views of stakeholders on the initial design of the PBS. Released in 2005, the consultation was distributed to approximately 1,602 stakeholders (IND 2005). Employers' responses in particular proved to be critical in the design of the system:

I think we could not have been legitimately more integral [in designing the PBS]. Certainly we were fully engaged, we were closely engaged with our members, we made sure ministers and officials were well aware of where businesses were (Interview with CBI, 2011).

While employers were not responsible for the inception of the PBS, the functionality of the system was almost entirely moulded around consultation responses (and taskforce groups) with employers and education establishments. Indeed, the 'whole question of getting a skilled based approach to it [PBS] required consultations with employer organisations' (Interview with Charles Clarke, 2012). In this sense, while non-state actors did not cause the overarching policy change, 'first and second order changes' were instigated by these organisations (Hall 1993).

Concerns from employers over the PBS causing skills shortages were heeded by the government, and the assignment of points was adjusted accordingly. The operational policy accommodations somewhat reflected the hierarchy of the policy network. For example, concerns from the CBI over the system were notably adjusted, including producing a shortage occupation list in line with labour market expectations (CBI 2006a). Whilst there were some concerns from employers over whether the new system

would lead to skills shortages, all interviewees said that their members were broadly comfortable and supportive of the PBS being ratified (Interview with BCC, 2012).

Aside from wide consultations on the operation of the PBS, the government ran a number of taskforces and forums on specific migration streams. For example, the Joint Education Taskforce (JET) was set-up in 2005 by the Home Office to provide a forum for discussing student immigration. However, members commented that the taskforce had no substantial influence on the overarching policy:

I think on operational policy it can have an impact. I think that there is certainly scope to get adaptations and tweaks, and it can be useful for exploring that.... I don't know that it has a useful remit in terms of particular sticking points like direction of travel then I don't think it necessarily/it certainly doesn't change government's mind, it's not a forum that does that (Interview with UUK, 2012).

Arguably these stakeholder forums are a means for government to communicate the direction of policy to stakeholders, rather than a chance for organisations to exert influence. A number of interviewees conveyed their disappointment that these forums were not a privileged lobbying opportunity (Interview with BCC, 2012). Many forums and their memberships did exhibit a symbolic or legitimising role, in the sense that stakeholders were invited to hear policy announcements (although this may be privileged information) rather than a meaningful dialogue which shapes policy, indicating 'peripheral insider status' (Maloney et al. 1994). For example, the TUC were invited to most stakeholder forums, but a former policy officer suggested that 'the civil service didn't see consultations with unions as a natural thing to do, even on labour market issues. The DTI was so hostile to trade unions generally, that's what prevailed when it came to labour market issues' (Interview with TUC, 2011).

Nonetheless, in terms of policy implementation or operational policy, these forums were an opportunity for interest groups, namely sponsors, to raise operational difficulties. Thus as a consequence of government wanting stakeholder input, opportunities for insider administrative action increased. But importantly, this was a useful process for stakeholders *and* the government, thus dialogue was mutually beneficial:

When the Home Office was talking to/or was going to introduce any major change in the visa system or immigration regulation, they were always reasonably conscientious around consulting likely affected parties, but it was very much within the pre-determined framework, and it was really about the

civil service trying to understand the barriers to implementation (Interview with former SpAd, 2011).

The emergence of a strong stakeholder dialogue on immigration policy has come about since the development and eventual establishment of the PBS. For example, global firms such as GSK suggested that their investment in economic immigration as a lobbying issue began when the PBS was established (Interview with GSK, 2012). Likewise, the BHA identified their interest in economic immigration as a lobbying issue when the PBS was introduced, and stated that their lobbying and policy development had been mostly 'reactive' to government policy. They went as far to suggest that their lobbying efforts were 'passive' before the point where the Labour government 'became agitated about the issue' (Interview with BHA, 2012). UUK cited their interest in lobbying government on student immigration when the current Coalition government introduced the annual cap on net migration in 2010 (Interview with UUK, 2012). The NFU claims that their lobbying efforts began when the government started to restrict agricultural immigration. The NFU went on to state that they had no formal policy or lobbying strategies until approximately 2007. These organisations have lobbied in response to policy changes, specifically policies which have affected the implementation and operation of immigration, and government proposals which place greater liability and penalties on stakeholders (CBI 2002b), rather than lobbying for an overhaul of the policy framework.

Nonetheless, it is clear that organised interests became more publicly supportive of the PBS and the managed migration agenda more generally. In other words, many organisations which had previously shied away from employing outsider lobbying began to 'go public' and practice media-related strategies in relation to their support of the policy (Kernell 1997). The CBI in particular channelled their support in a number of press releases and statements (CBI 2006b), perhaps most notably when former President Digby Jones stressed that 'capital can't afford to be racist for lots of reasons' (BBC 2005a). Jones went on to say that using controlled migration to help reduce skill gaps and stimulate economic growth 'is nothing more than common sense' (Jones quoted in *The Guardian* 2004). Similarly, the TUC mobilised their support for both the A8 decision and the government's general approach to immigration.

There was thus a steep increase in organisations publicly channelling their support for the new immigration system from the mid-2000s (TUC 2006a; TUC 2006b). This was likely in reaction to a pleading from Labour ministers. With the A8 accession approaching in May, in April 2004 Blair implored in a speech to the CBI that ‘immigration and politics do not make easy bedfellows’, that the reporting on immigration was ‘not exactly calculated to douse the flames of concerns’, and that consequently ‘now is the time to make the argument for controlled migration’ (Blair 2004). With Blair highlighting the sensitive politics of immigration, and outlining the roles of government, local authorities and community groups in supporting the approach to immigration policy, Blair’s speech was an appeal to the CBI to publicly endorse the managed migration agenda. The government wanted employers to publicly convey their support, thereby reducing the saliency of the issue by appealing to a rationalistic business framing:

What they [employers] wouldn’t do is come out and campaign! We used to say to them “please, don’t just talk to us, write to the papers, say things! Go on broadcast media, make your voices heard because that way you’ll help us to carry the day” (Interview with Blunkett 2012).

The upsurge in organisations ‘going public’ on economic immigration is consistent with the literature on collective action strategies; organisations are more likely to employ outside lobbying tactics, such as media-related strategies, when the saliency of the policy issue is heightened, as it was in the mid-2000s (Kriesi et al. 2010). Coupled with a Labour government pleading for organised interests to ‘go public’ with their endorsement, the escalation in public-related collective action is unsurprising. Yet, these actions were not lobbying as such; these organisations were in support of the government’s policy and were not trying to exert influence on government. Rather this was a concerted effort by the policy network to soften the public debate on immigration.

For the most part, employers and employer associations were not lobbying for an expansion of immigration policy, but were rather focused on operational aspects of the system. Every interviewee stated that their organisation did not attempt to challenge the overarching policy paradigm: ‘Our focus has always been on the operation of the system and how business can work within the system rather than campaigning for any kind of wider liberalisation’ (Interview with CBI, 2011). Patently, adjustments to operational aspects of policy can inadvertently (or intentionally) lead to an increase in

admissions. For example, easing the regulation and bureaucratic aspects of obtaining work visas, will likely result in an increase in work visas. It is hard to determine whether such lobbying on operational elements was intended to liberalise policy in terms of admissions, and given that much lobbying activity (and the motivations for such lobbying) is usually concealed from the public domain, this will perhaps remain an unknown. Nonetheless, all interviewees were adamant that they had lobbied on operational issues such as the transparency of the system and liability on employers (CBI 2002b), rather than any attempts to change the policy framework.

Prior to this period of intensified consultations in the early to mid 2000s, there were no formal stakeholder panels on economic immigration which met frequently. Communication between the Home Office and stakeholders has been a gradual and incremental process. The invitation for greater stakeholder engagement, coupled with a new system which placed greater liability on employers and education institutions, led to a steep increase in participation from non-state actors. The members of the policy network did not push for an overhaul of the immigration system. The PBS was in development regardless of interest group preferences. However, the options for how the system would operate had not been finalised, and it is at this stage that interest groups had the most impact.

#### **4.9 Consolidation of the policy community**

The period of intensified consultation, engagement and collaboration with organised interests in many ways formed the policy network which had hitherto been scattered, unorganised and lacking cohesion in policy objectives. In particular, the taskforces set up for each tier of the PBS generated greater communication between organised interests in the realm of economic immigration. This has led to a more coordinated position between non-state actors who share the same broad objectives. In other words, organisational maintenance increased, almost as a by-product of greater stakeholder engagement with the Home Office.

As has been shown, non-state actors did not prompt the overall change in the policy framework, but conversely the policy changes made by government unwittingly generated a more formal policy network. The establishment of an economic

immigration policy community was fully institutionalised by the inauguration of two new forums in Labour's last term of office: The Migration Impacts Forum (MIF) and the Migration Advisory Committee (MAC). The MAC in particular, gave organised interests a systematic and explicit medium for influencing policy.

The MIF was launched in 2007 alongside the MAC by MP Liam Byrne (former Minister for Immigration) and MP Phil Woolas (former Minister for Communities). While the MAC was charged with looking at the economic and labour market impacts of immigration, the MIF was set up as a counter, and was charged with looking at the social impacts. The MAC consists of five economists who advise the government on appropriate quotas and ways to utilize immigration to meet labour shortages based on evidence.

The MIF had a diverse membership made up of government officials and ministers, a few non-state interest groups such as the CBI and TUC, and local authorities particularly from areas where there was a high concentration of immigration such as Oldham and Peterborough. The MIF met quarterly but was labelled a failure by almost every interviewee:

I found it to be quite an odd construction, it was sort of a half-way house between a select committee kind of gathering evidence, sort of task forcey, it wasn't always clear why the agendas were constructed and for what purpose... it had very little impact on policymaking (Interview with Will Somerville, 2011).

The MIF was an attempt to integrate, in conjunction with the MAC, both the economic and social impacts of immigration, placing stakeholder input at the forefront of immigration policymaking. The forum was disbanded in 2010 because it lacked organisation, a dedicated secretariat or budget and clear objectives (Interview with Will Somerville, 2011; Interview with former MAC secretariat, 2012).

While the MIF was perhaps a disappointment in terms of instrumental knowledge, these bodies have legitimised and formalised non-state actors' involvement in immigration policymaking. Although stakeholder engagement had emerged in the early 2000s and intensified throughout Labour's terms, it was the establishment of the MIF and in particular the MAC, and the integral role this gave to non-state actors which changed the scope of economic immigration policymaking. While the MIF was disbanded, the



MAC lives on under the current Coalition government and is viewed by ministers, civil servants and stakeholders as an essential component of immigration policymaking. Indeed, employers would like the MAC to have a more extensive role in ‘overseeing the administrative impact of immigration policy’ (CIPD 2013).

The establishment of the MAC also brought a fundamental change in relation to lobbying strategies on economic immigration policy; stakeholders must now ‘lobby with evidence’. In contrast to the 1990s ad hoc system, employers must now legitimise their claims through economic evidence via the MAC. The MAC’s bottom-up evidence is collaborated through a series of open consultations, including the above-mentioned stakeholder panels and other open stakeholder forum events conducted across the country, which tend to bring around 40 representatives to each meeting. The majority of these meetings and consultations are concerned with the shortage occupation list. Companies and whole sectors must submit evidence to the MAC to demonstrate that there are labour market shortages, and that there is consequently a need to recruit from outside the EU. This evidence must include proving that a company has attempted alternative methods of recruiting native workers, such as upskilling the workforce. However, MAC members admit that it can be problematic demonstrating efforts to recruit from the EU, and thus proving there is a shortage: ‘I mean we can’t know if there’s a shortage of consultants in nuclear medicine of whom there is so few, so a shortage might mean 2/20. So we can’t really second guess that, we trust them’ (Interview with MAC, 2011).

A member of the MAC describes an example of an employer lobbying the MAC to get an occupation on the shortage occupation list:

I always like the example of the electricity lines man, you know the people who make the overhead power lines. Well they set it out all very nicely in the number of retirements and the fact that they’d set up a training programme, and the training programme had not come on stream, they hadn’t graduated from the training programme as it were and so they needed some people and we said fine. So that was lobbying, but it was lobbying on the basis of evidence (Interview with MAC, 2011)

Essentially this case epitomises the tensions between lobbying and evidence claims making. The evidence which is used to form elements of policy, such as the shortage occupation list, was (and is) intrinsically driven by corporate interests. Lobbying for occupations to get on the shortage list must be substantiated in numerical, quantifiable

terms rather than through persuasive testimonies as had previously been the case. Much stakeholder consultation on the PBS conformed to this notion that arguments by employers must be quantified. As suggested by Truman (1971), the exchange of technical information can prove to be a powerful bargaining and lobbying tool.

The criteria for obtaining specific work visas, as well as the list of occupations which constitute the shortage occupation list, are dependent on evidence from stakeholders. Consequently, the government needs stakeholder input to finalise policies. This mutually dependant relationship has led to what Caviedes (2010, 114) calls an ‘indirect corporatist agreement’, and represents a fundamental change to immigration policymaking. A change which has a ‘lock-in’ effect, as the current and future governments will be constrained by the dependence on employers’ information about labour market needs to substantiate policy. While knowledge production as a lobbying strategy is not a new or novel phenomenon generally, the establishment of the MAC has meant that interest groups must substantiate their lobbying with quantifiable evidence. Consequently, this has generated a new (and ultimately the only available insider strategy), for non-state actors to lobby government on economic immigration – lobbying with evidence.

#### **4.10 Conclusion**

The organised interests approach argues that immigration policy change (at least in a liberalising direction) will be a result of non-state actors, especially employers, lobbying government for more expansive policies. Accordingly, political elites respond to such demands to gain electoral support from such interest groups (Freeman 1995; 2006). Numerous scholars have tested Freeman’s model to this case of policy change, and found that organised interests were responsible for the policy shift in this case (Somerville & Goodman 2010; Menz 2008; Caviedes 2010). Conversely, my empirical evidence demonstrates that organised interests were not responsible for the shift in policy objectives. I would thus suggest that these scholars have somewhat overestimated the role of organised interests as the critical actors responsible for the policy change. The weight these scholars place on organised interests is in part due to only a partial analysis of policymaking at this time; such analyses have overlooked both the institutional and political context. Whilst these scholars have exclusively examined

the role of non-state actors, my analysis gives a broader account, considering the role of a range of actors and assessing these actions in a cohesive and complete narrative of policymaking. Fundamentally the organised interests approach neglects the state as an independent actor, one with interests and agendas like any collection of actors. In this approach, the state is merely an instrument for organised interests to channel their policy preferences which ‘overlooks the fact that the state – at the very least – plays an active role in defining new policy alternatives capable of securing compromise (Boswell 2007, 79).

The exaggerated role these scholars place on organised interests is possibly because they have assumed that the coinciding conditions of strong economic growth, increased stakeholder engagement from the mid-2000s and expansive immigration policies are too congruent to be a coincidence. But this is post-hoc rationalization, and economic conditions and the actions of organised interests need to be disaggregated to justify this claim. To assess whether organised interests matter in explaining policy change, one must examine the kinds of collective action strategies they employ and when they do so. Interest groups reacted within the terms of the policy framework and thus to suggest that organised interests drove the overall policy shift would be an overstatement. This is refuted by stakeholders’ lack of interest, resources and engagement on the issue until most policy changes had transpired. Indeed many interviewees stated that their policy activity had been ‘reactive’ to the policy changes. Organised interests did not attempt to challenge the policy framework, and their impact on the third order change was subsequently limited.

While organised interests were not responsible for the policy shift, the policy community were broadly supportive of the reforms, which perhaps explains the absence of concerted lobbying. Non-state actors did however influence first and second order changes (i.e. the instruments settings changed but the overall goals of policy remained the same) to Labour’s economic immigration policy. Organised interests, especially “sponsors” in the PBS, were absolutely integral to the design and implementation of the system, but not its impetus. Nonetheless, organised interests were not the drivers of the managed migration agenda.

The incompatibility between Freeman's model specifically and the British case is perhaps because the model was originally based on the US political system, where the federal system offers multiple avenues for interest groups to lobby government. In contrast, lobbying groups in the UK encounter a fairly hostile environment, 'given the absence of corporatist structures of interest intermediation, strong executive control of the agenda, a tightly closed, highly loyal, and generally secretive civil service, and pronounced party discipline' (Menz 2008, 160). This suggests that Freeman's predictions have greater authority in a political system perceived to be more open to the interests of big business. The pluralist perspective, which the organised interests approach stems from, generally suffers from the assumption that there is a causal link between a change in policy and the interventions of organised interests. This assumption has been stretched by some to presume that strong economic conditions generating labour market shortages translates to employers driving the direction of policy (Caviedes 2010; Interview with Portes, 2011). This assumption falls charge to post-hoc rationalization, but most importantly it overlooks the way in which immigration policy is formulated behind closed doors by political elites (Balch 2010, 21; Statham & Geddes 2006).

Despite their minimal role in causing the policy shift, interest groups did become increasingly influential and visible (in the public domain) under Labour. However, their gaining power was a result of the governing Labour Party being keen to appease business, as well as efforts by the Home Office to engage with stakeholders, rather than pressure from interest groups to be involved.

The establishment of the MAC as the body which in many ways shapes labour immigration policy (although governments can ignore the MAC's recommendations) has created a mutually dependent relationship between sponsors and government. Stakeholders rely on their evidence to reflect their labour preferences. Likewise the government relies on information and evidence from sponsors to finalise policies so that policies are responsive to labour market needs, as was the intention behind the PBS. This is a change to the parameters of economic immigration policy which future governments are likely to be constrained by, especially as the PBS is contingent on labour market evidence. Therefore, without dismantling the current system – a

cumbersome and no doubt expensive process – future governments and stakeholders will have to continue cooperating in this manner.

The policy network as it is today has come into existence as a result of greater stakeholder engagement by the Labour administration. However, this does not translate to a pluralistic system. Rather, economic immigration policy remains executive-driven, but the growing importance and coordination of organised interests will mean that governments face greater constraints on their autonomy to direct policy than ever before. This will be (and is) especially acute when the policy direction advocated by government is at odds with powerful interest groups. Organised interests, particularly employers, are now vocal in their position on immigration policy, and groups which once shied away from the media on such issues are now employing ‘outsider’ lobbying tactics (CBI 2012; BCC 2012; IoD 2013). As a result of Labour’s stakeholder engagement efforts, the politics of immigration in Britain are looking more like Freeman’s clients politics model, and this pattern looks likely to continue.

## Chapter 5

# Do parties matter? Party ideology and party competition

*'The economics of this were sound; it was the politics that was the problem'* (Interview with Tim Finch, 2011)

### 5.1 Introduction

The previous chapter examined the role of organised interests in immigration policymaking. My research demonstrated that non-governmental actors, whilst supportive of the changes, did not prompt the policy shift. The focus of this chapter is on the governing party and the elites that comprised it. The chapter contributes to the debate on whether parties matter in determining the direction of immigration policy (Schmidt 1996). Judging by the established and sophisticated literature it would seem not (Hampshire & Bale 2014 forthcoming). Those who have studied the relationship between parties and immigration policy outcomes have focused their attention on party strategy on the assumption that parties are above all vote-maximizers. If we accept that 'ideology is dead' (Bell 1962), and that the art of politics is competency in 'statecraft' (Bulpitt 1996), then the focus on party strategy, rather than ideology, is understandable. But given that 'in no Western European country can politicians or political parties gain votes by favouring new immigration' (Lahav 1997, 382), expansive policies cannot be regarded as a pragmatic electoral strategy. Policies which are at odds with public preferences, such as the policy change under study here, cannot in other words be explained by electoral strategy and/or party competition. Parties do not necessarily mimic their opponents or chase the majority voter position in a 'crude Downsian fashion' in any case (Spehar et al. 2011). These analyses overlook that parties operate within a certain ideological framework which somewhat conditions and constrains political action.

Following 18 years in opposition, the Party that entered government in 1997 was a very different beast from previous Labour governments. The Party had ideologically re-orientated to the centre ground, washed their hands of left-wing militant tendencies and shed protectionist policies in favour of embracing the apparently new globalised world

Britain found itself in. This was said to be the ‘party of change, of progress, of radicalism’ (Robinson 2012, 123). The force of this new found third way ideology trickled down to define the agendas of many public policies (Watson & Hay 2003; Cole 1998; Harrison 2002), but it remains to be seen whether such ideas were manifested in immigration policy. The purpose of this chapter is to examine whether such changes in the party ideology shaped the immigration policy preferences of leading elites, and the degree of autonomy the government had in implementing such policies.

The chapter is divided into two sections. The chapter will firstly outline Labour’s intra-party modernisation, describing the shift from “Old” Labour to “New” Labour, and the ramifications for how this ideological modernisation changed Labour elites’ preferences to immigration policy. The chapter will then examine the constraints on the Party’s actions, both internally and externally in terms of party competition and the party political context.

## **5.2 Old Labour and the “Wilderness Years”**

In post-war Britain, the Labour Party was grounded in ideas of redistribution, nationalisation of services and industry and trade unionism, symbolised by the Party’s commitment to Clause IV in its constitution<sup>46</sup>. The Labour Party was conceived as a mass party, representing the working class people of Britain and economically the Party was committed to full employment and Keynesian economic ideals. Branded the “loony left” by some, Labour was ideologically sympathetic to socialism. Factions of the Party were also suspicious of the EEC. Indeed, the shadow Labour Party opposed membership when the Common Market was created in 1957 (Richards & Smith 2010, 247). It was those on the Left of the Party that were especially opposed to the European project because, they claimed, membership would be a direct threat to the sovereignty of Parliament and subsequently the ability to carry out Labour’s economic policy (Ibid, 248). There were also fundamental divisions within the Party over key issues of state intervention, fiscal policy and welfare. The historical internal divisions within the Party mean that any distinction between “Old” Labour and “New” Labour should be treated loosely (Driver 2011, 110).

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<sup>46</sup> Which committed the Party to ‘the common ownership of the means of production and exchange’

In terms of immigration, historically the Labour Party held a bipartisan consensus with the Conservatives throughout the post-war period to maintain restrictive immigration policies. As a result ‘voters perceived no real difference between the Conservative and Labour parties’ approaches to immigration’ (McLean 2001, 148). The bipartisan consensus which governed Britain’s two major political parties since the 1970s was grounded on three pillars:

First immigration was to be controlled and limited; second, positive measures were to be taken to ensure the integration of immigrants into the national and local community; and third, both parties were to refrain from placing issues of immigration and race at the centre of party competition (Hansen & King 2000, 399).

In opposition, Labour objected to elements of the restrictive immigration regime, most notably the passing of the 1962 Commonwealth Immigration Act. However, on returning to office in 1964 the Labour government not only failed to repeal this Act but passed the 1968 Commonwealth Immigration Act, which further curtailed Citizens of the UK and Colonies (CUKC) rights by adding an additional prerequisite for entry. This latter Act was largely established as a reactive response to Africanization policies, which were forcing CUKCs out of the continent (discussed in chapter three). The 1968 Act was condemned by Liberals as a betrayal of Kenyan Asians fleeing persecution (Hampshire 2006, 314). Furthermore, the 1974-1979 Labour government's reluctance to repeal what were seen as racist nationality and immigration laws, such as the 1971 Immigration Act, aroused much criticism from the Labour Party Race Action Group (LPRAG)<sup>47</sup> (Fielding & Geddes 1998, 142). Reinforcing the bipartisan consensus that firm immigration controls underpinned good race relations, Labour focused much of their attention on tackling racial discrimination, best signified by the introduction of the 1968 Race Relations Act and the 1976 Race Relations Act.

During 18 years of opposition the Labour Party made no mention of reforming economic immigration policy. Any mention of immigration was focused on tackling the asylum crisis and developing measures to resolve racial discrimination. Documents retrieved from the Labour archives revealed that there were no debates or proposals on changing economic immigration policy in the “wilderness years”. While Labour were emphasising the need to enhance skills for Britain’s future as a ‘leading industrial

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<sup>47</sup> The LPRAG was set up in 1975 by a number of activists because of low representation of non-white Labour candidates. The LPRAG acted as a forum for discussion as well as the expression of discontent.



nation', this was framed as a need to invest in the skills of the British public, in particular educating and training young people and women entering the workplace (Smith 1990, 28<sup>48</sup>; Kinnock 1991, 133<sup>49</sup>). Immigration was certainly not on the political agenda for the Labour Party in the early 1990s. The only issues in relation to immigration were: to strengthen race relations, condemn the election of a British National Party (BNP) councillor in 1991, a zero tolerance approach on xenophobic or racist tendencies, advancing an education policy which better reflects multicultural society and a proposal for a campaign against racism<sup>50</sup>.

In the 1996 'blueprint' for New Labour, *The Blair Revolution: Can New Labour Deliver?*, written by New Labour architects Peter Mandelson and Roger Liddle, there was no mention of immigration and as Blair reflected 'we came to power with a fairly traditional but complacent view of immigration and asylum' (Blair 2010, 204). Likewise, in the run-up to the 1997 General Election Labour's manifesto only broached immigration in regards to abolishing the primary purpose rule and plans to reduce the asylum backlog (Labour Party 1997). Labour's strategy on immigration in the run-up to the 1997 General Election was to try to retain the post-war bipartisan consensus, by depoliticising it and preserving a fairly neutral position, reminiscent of a common centre-left party strategy to 'defuse' the issue (Bale et al. 2010; Interview with former SpAd, 2011). Economic immigration was not on the agenda for the Party, or at the very least it was not spoken about publicly.

The Labour Party's historical record on immigration – of holding a bipartisan consensus of restrictionism – demonstrates that left or centre-left parties do not necessarily implement expansive immigration policies. On the contrary, Labour's record as well as comparisons across Western Europe<sup>51</sup> illustrate that centre-left parties do not unequivocally favour expansive policies and are no less restrictive than 'Right parties on immigration control' (Givens & Luedkte 2005). A change to a centre-left governing party then cannot be considered a sufficient explanation for the policy shift. This being

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<sup>48</sup> LHASC/ NEC Annual Conference Report, 1990

<sup>49</sup> LHASC/NEC Annual Conference Report, 1991

<sup>50</sup> LHASC/LRPD (1994) Domestic and international policy committee 'resolutions from affiliated organisations: November/December 1993, PD: 3419/January 1994

<sup>51</sup> See for example Koopmans et al. (2012) who conclude in their systematic comparative analysis of immigrant rights over 10 countries, that 'Government incumbency of the left or right is not systematically associated with lower or higher rates of immigrant rights'

said, if we consider the counterfactual possibility of the Conservatives retaining office in 1997, it is very unlikely that the policy change would have ensued. Whilst the Conservative Party face pressures to liberalise policy from business interests (Bale 2008), the centre-right is ideologically and traditionally committed to maintaining restrictive policies. Thus a change to a centre-left government, whilst necessary for the policy shift, cannot be said to be a sufficient condition.

### **5.3 New Party, New Labour**

The Labour government that came to power with a landslide victory in 1997 was a very different beast from previous Labour governments. Following the heavy electoral defeat under Michael Foot in 1983, the Party's new leader, Neil Kinnock, began to shift the Party away from the hard left, a process that was continued under John Smith and then pursued with particular vigour by Tony Blair from 1994 onward. This modernisation process was formally known as Labour's policy review. Although New Labour was 'explicitly devised to demonstrate discontinuity with Labour's past' (Robinson 2012, 9), the shift in the Party from "Old" to "New" is best seen as an accumulation of policy strategies, reforms, and ideas, as opposed to a cohesive political project created at one specific moment (Driver & Martell 2002).

Under Blair, Labour famously deleted Clause IV of its constitution. A decision of significant symbolic value; 'it was presented as a battle for the history, identity and soul of the Party' (Robinson 2012, 136). Through its "modernisation" agenda the Party made a concerted effort to present itself as a centrist party. Central to this was an acceptance of parts of the post-Thatcher settlement. While Old Labour was committed to nationalisation, redistribution, and regulation, New Labour reconciled itself to – some would say embraced – privatisation, deregulation and limits on redistribution. Labour leader Neil Kinnock's business-friendly approach stood in stark contrast to Old Labour's socialist ideals, epitomised in his keynote speech at the 1990 National Executive Committee (NEC) Conference:

There is a widespread desire to compete effectively because everybody knows that ultimately their prosperity and security depend upon it, and when companies and workforces call for change in the government's economic policies, they are

not negating in special pleading, they do not want featherbedding; all they want is a context in which they can properly prove themselves (Kinnock 1990, 129<sup>52</sup>).

Blair described himself as a ‘democratic socialist’, but he openly admired Margaret Thatcher, and along with Chancellor Gordon Brown, accepted the need to ensure economic competitiveness through business-friendly policies. Markets were therefore ‘no longer seen as subservient to governments, but as co-equals with them in a new synergetic relationship’ (Freeden 2003, 46).

At the heart of this rebranding was the adoption of third way politics, an ideological alignment described by its guru Anthony Giddens as ‘a political approach that sought to reconcile economic competitiveness with social protection’ (Giddens 2007). The principal values of the third way included ‘Equality; protection of the vulnerable; freedom as autonomy; no rights without responsibilities; no autonomy without democracy; cosmopolitan pluralism; and philosophic conservatism’ (Giddens 2003, 37). As a result, the ideological programme of New Labour included liberal, conservative and socialist elements, ‘though it [was] not equidistant from them all’ (Freeden 2003, 48). By culminating different traditions and philosophies those ‘who attacked from either Left or Right appear to be irrational, standing against the real-world developments that have turned Left and Right into “fundamentalisms”’ (Leggett 2000, 21). The third way thus provided Labour with a strong rhetorical device able to counter the Tory opposition whilst distancing themselves from their “Old” Labour past.

Virtually every policy area was affected by the Party’s ideological overhaul, including foreign policy and relations with the EU:

The pressures of domestic political competition, a change in trade union attitudes on Europe, the dynamics of the European integration process, and important changes in the Party’s approach to economic policy and the role of the nation state are key elements in understanding Labour’s new found Europeanism’ (Daniels 2003, 226).

From the initial phases of the Policy Review Labour’s new-found Europeanism was visible. Major unions belonging to the once powerful NEC<sup>53</sup> were ardently supportive

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<sup>52</sup> LHASC/NEC Annual Conference Report, 1990

<sup>53</sup> The NEC is the chief administrative body of the Labour Party. It includes representatives of affiliated trade unions, the Parliamentary Labour Party and European Parliamentary Labour Party, Constituency Labour Party and socialist societies. During the 1980s the NEC had a major role on policymaking but under Blair’s leadership the committee’s role declined and its membership was reformed.

of greater European integration; with the president of the Amalgamated Engineering Union and member of the TUC, Bill Jordon, going so far as to claim that the British public ‘are waiting for the opportunity of Europe’ (Bill Jordon, Amalgamated Engineering Union 1991: 117<sup>54</sup>). The 1990s NEC Conference in particular was dominated by a need to ensure that the Party embraced the European Community calling for Britain to ‘seize’ Europe (Glynn Ford 1990: 183<sup>55</sup>). As Blair phrased it in 1996, ‘Only fifteen years ago we were the anti-European party. Today, we stand for decentralising power and for constructive leadership in Europe’ (Blair 1996, 259). While Blair endorsed the ‘Europe ideal’ support for EU integration was for him quite straightforward: ‘In a world of new emerging powers, Britain needed Europe in order to exert influence and advance its interests. It wasn’t complicated. It wasn’t a psychiatric issue. It was a practical question of realpolitik’ (Blair 2010, 533).

The Party’s new Europeanism goes some way to explaining the A8 decision in 2004, as Labour’s enthusiasm towards greater European integration (in comparison with their predecessors) was reflected in Britain being a champion for an enlarged EU. If Labour had maintained its 1960s Euroscepticism, it is likely that transitional controls would have been placed (Interview with Dennis MacShane, 2012). The Party shifted to a more ‘defensive posture’ over their time in office, and couched their enthusiasm for Europe ‘in terms of standing up for the national interest and defending British sovereignty’ (Opperman 2008, 171). Nonetheless, as one of the key engineers of the New Labour project said ‘It was an article of faith for the modernisers that we must be more deeply, self-confidently involved in European Affairs’ (Mandelson 2010, 237). A commitment to a more positive lead in Europe was a key cornerstone separating “Old” Labour from “New” Labour and thus the shift in the Party made Labour’s Eurosceptic days look like a distant memory.

Notwithstanding how and why Labour transformed, it is clear that the Party modernised their political image and policies. Elements of “Old” Labour remained intact but were renovated, such as a notion of social democracy; from a humanitarian stance of a “right to work”, to an emphasis on duties, obligations and citizenship, expressed as a “duty to

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<sup>54</sup> LHASC/NEC Annual Conference Report, 1991

<sup>55</sup> Ibid

work”. Nonetheless, the pillars of Old Labour were seen to be outdated and inconsistent with modern political economy:

The New Right argued that the state was doing too much: high public expenditure, especially on welfare, and high taxes were undermining incentives, crowding out public investment and creating a dependency culture. Social democracy, whether practised by the Tories or by Labour, was the villain leading Britain, if not down the road to serfdom, then at least down the drain (Martell & Driver 2006, 31).

#### **5.4 The third way and immigration**

The modernisation of the Party is essential to understanding why the Labour government liberalised immigration policy in the early 2000s, and also why previous governments – both Labour and Conservative – had not. The policy change of the early 2000s was effectively the application of New Labour’s governing philosophy to immigration policy. The ideological reorientation of the Party is critical to understanding why economic immigration policy changed, because of three contingent elements of Labour’s new found philosophy: the Party’s neoliberal economic programme, including counter-inflationary measures and labour market flexibility; and underpinning this programme, the Party’s diagnosis of the global political economy. This economic reasoning was reinforced by Labour’s culturally cosmopolitan notion of citizenship and integration. Coupled with Labour’s historical values of openness and tolerance, an expansive immigration policy ‘made political sense’ (Interview with Jon Cruddas, 2011).

Rejuvenating the Party fundamentally required presenting an appealing package of ideas which would be fresh, current and above all else appeal to the British electorate. Throwing out Old Labour socialist ideals was not enough. The Party needed to articulate and deliver an original and progressive policy programme. Besides the literal rebranding of the Labour Party as “New” Labour, the term which the Party chose to communicate their reinvigorated ideology was modernisation. Blair persistently spoke of the need for modernisation, indeed he used the term no less than 21 times in one speech at the 1997 Labour Party Conference. Modernisation was originally devised to signify that the Labour Party was ‘throwing off historical obsessions and providing a new sense of direction’ (Taylor 1997, 104-5), but it quickly became the buzzword to describe all planned policy reforms. Having denounced the Keynesian demand

management, state intervention, “Old” Labour approach to monetary management, New Labour claimed that the new structural reality was one of increasingly non-negotiable economic imperatives, frictionless markets which needed to be harnessed rather than resisted. The country was said to be structurally dependent on capital, and consequently what was required was minimum state intervention and a modernised approach to public policy. In stark juxtaposition to Old Labour, good government was said to be minimal government, and injustices of capitalism could best be resolved by working within the market rather than against it (Richards & Smith 2010, 244). Central to this was an appeal to the need for counter-inflationary credibility, and in turn a labour market policy which above all required flexibility and competitiveness.

The critical objective of Labour’s economic policy was stability; as Brown proclaimed, ‘stability is the necessary precondition for all we do’ (Brown 2001, 44). Economic mismanagement was widely blamed for Labour’s electoral loss in 1979, and consequently economic incompetence dogged the Party throughout the 1980s and early 1990s. To achieve a sustainable framework for economic stability, the Labour governments focused their efforts on counter-inflationary measures. Since the 1970s, the general theme of macroeconomic theory has focused on the presumed inflationary bias which occurs when monetary policy decisions are regulated by elected officials (Watson & Hay 2003, 294). Indeed, the partial victory of the neo-liberal approach is by virtue of its focus and prioritisation of controlling inflation (Cerny & Evans 2004, 53). Of critical importance for the Labour Party then was the capacity to formulate and enforce suitable mechanisms (such as independent central banks authorised to deliver price stability) that would consign those responsible to a tough counter-inflationary policy. Thus the objective to achieve counter-inflationary measures was imperative to Labour’s economic policy.

To achieve low inflation, Labour prioritised labour market flexibility. This was built on the notion that supply increases demand, and thus extra competition in the labour market will reduce inflationary pressures (Glyn & Wood 2001, 55). Labour market flexibility was at the heart of Blair’s vision of the competition state, and represents the bedrock of Labour’s economic policy both independently, and in terms of its effect on keeping inflation down.

It was the Party's emphasis on labour market flexibility which some interviewees suggest was the core reason why economic immigration policy was liberalised:

I think it [immigration policy] was basically a product of its broader economic framework which was one of economic liberalisation.... The question was what were the features that could stop it, and one of them was perceived to be labour market inflexibility, wage inflexibility primarily and the demand for labour. And that's basically where the migration policy fitted into it.... I think it was consistent with the overarching modernisation story of economic modernisation and modernisation of civil society. It worked alongside its cosmopolitanism. So national boundaries or a patriotic story didn't necessarily fit into that (Interview with Jon Cruddas, 2011)

If we assume that Labour's economic policy was of paramount importance to the Party, and that labour market flexibility was key to achieving this policy, an expansive economic immigration policy dovetailed with this objective. The mantra of attracting the 'brightest and the best' was synonymous with the rhetoric of competitiveness used to legitimise Labour's orthodox macroeconomic policy, as explicitly outlined by Immigration Minister Barbara Roche in 2000:

As with other aspects of globalisation, there are potentially huge economic benefits for Britain if it is able to adapt to the new environment. We are in competition for the brightest and best talents – the entrepreneurs, the scientists, the high technology specialists who make the global economy tick. In order to seize the opportunities of the knowledge economy, and to play a constructive part in shaping these huge changes, we need to explore carefully their implications for immigration policy (Roche 2000)

Britain's outdated and insular approach to migration was, so the argument went, entirely unsuited to the needs of a knowledge economy in a globalised world. This position was articulated in Labour's 2001 manifesto, which explicitly linked changes in the economy with a need to modify immigration policy: 'As our economy changes and expands, so our rules on immigration need to reflect the need to meet skills shortages' (Labour Party 2001, 34).

But fundamentally underpinning Labour's economic programme, and indeed the inception of "New" Labour altogether, was an uncompromising belief in globalisation. The business school globalisation thesis propagated throughout the 1990s, offered the Party a way of rhetorically imploring the need to ensure competitiveness. The globalisation thesis presumed that 'in the face of global competition, capitals are increasingly constrained to compete on the world market' (Cole 1998, 315). Thus the 'argument is that these capitals can only do this in so far as they become multinational

corporations and operate on a world scale, outside the confines of the nation state' (Ibid). By diagnosing globalisation as inevitable and an unavoidable exogenous condition, the Party could offer appealing solutions to what they insisted were the new economic realities. In constructing a vision of an inevitably globalised economy, the Party rendered Labour's economic policy an absolute necessity to Britain's future prosperity, thus strategically blurring the lines between the inevitable and the desirable (Watson & Hay 2003).

Economic globalisation was presented as a non-negotiable, external constraint, an irreversible fact of life, and a natural development of capitalism which could not be controlled by human agency. According to Blair (2006) the only 'rational response' to globalisation was 'to manage it, prepare for it, and roll with it' (Blair 2006). And Brown likewise proclaimed that 'We cannot any longer escape the consequences of our interdependence. The old distinction between 'over there' and 'over here' does not make sense of this interdependent world' (Brown 2007b). By depicting such a phenomenon as inevitable, Labour's policy solutions looked apt to respond to such forces and thus desirable. As journalist and Director of Demos David Goodhart surmises 'if you want something to happen, nothing better than saying it's inevitable to underline the argument' (Interview with David Goodhart, 2012). The rhetoric espoused followed a simple logic: that globalisation is inexorable, it demands a strict macroeconomic orthodox approach to economic policy (Balls 1998), and that only Labour can reap the benefits of this new globalised economy:

With new Labour, Britain can seize the opportunities of globalisation, creating jobs and prosperity for people up and down the country. The choice is to go forward to economic stability, rising prosperity and wider opportunities with new Labour. Or go back to the bad old days of Tory cuts, insecurity and instability (Labour Party 2005, 29)

Faced with the allegedly uncontrollable exogenous constraint of globalisation, which accordingly 'has changed the nature of power held by nation states' (Blunkett 2002a), Labour claimed there is simply no alternative (Watson & Hay 2003).

The diagnosis or strategic blurring of globalisation as both inevitable and desirable is in many ways the defining reason why immigration policy shifted under Labour. After all, according to the government 'Migration is driven by globalisation' (Home Office 2005, 11; Blair 2004), and thus states must respond to the imminent flows of people and make



it work in their favour. However, the link between the rhetoric of globalisation on the one hand, and expansive immigration policies on the other, was not necessarily explicitly or consciously made by the Party. Rather, the logical extension of an ideology which hinged on globalisation was so deeply entrenched that with immigration being ‘the human element of globalisation’ (OECD 2009b), it was likewise assumed to be both inevitable and intrinsically positive by the leading faction of the Party. Tantamount to globalisation, immigration was deemed uncontrollable and therefore something that needed to be harnessed:

Migration is a feature of globalisation in the same way that capital moves, so does labour moves across boundaries. And every attempt to close one door simply means that people move into another... I said [to constituents] “I can’t stop the change, the change is happening and that’s because I believe it – migration – to be part of globalisation, but what I can do is try and make it work for you” (Interview with Margaret Hodge, 2012)

I worked under both Blair and Brown and other ministers and they shared a basic view which was that economic immigration was both good for the economy and inevitable, and sort of an inevitable feature of globalisation which was something that needed to be harnessed. These things were good for the economy overall and it was important for the country to not close its mind (Interview with former SpAd, 2012)

The main thing is that the reorientation on economic policy of the centre left – away from Keynesian demand management towards a more explicit embrace of globalisation – lent itself more firmly towards embracing immigration too. The emphasis on skills and education and openness to global markets meant that you had people more open to arguments about migration being an important component of a successful economy (Interview with Nick Pearce, 2014).

With a governing Party committed to a programme of open markets, competitiveness, flexibility and an ‘open global society’ (Blair 2000b), it would seem at odds to have anything but an expansive immigration policy. As a result, the expansive reforms became ‘an unquestioned policy by the early 2000s’ (Interview with former SpAd, 2012).

This is not to suggest that elites passively responded to global forces and thus expanded immigration, as has been implied by other accounts which focus on organised interests and economic conditions (Menz 2008; Interview with Portes, 2011). This would be to neglect the agency of the very actors who devised the policies. On the contrary, Labour deployed such a powerful discourse that globalisation became an accepted reality of

governance across Westminster (Watson & Hay 2003). The argument here is that the logic of there being no alternative to globalisation, permeated and trickled down to demarcating the objectives of many public policies, including immigration. The powerful and persuasive ideology of globalisation, devised and deployed by the Party, took on an unquestioned logic, an idea to define and shape policies around. Thus by appealing to the forces of globalisation as an overarching ideology which any government must accommodate, the Labour Party could claim that policy was ‘depoliticised’ (Burnham 2001), simply reacting to exogenous uncontrollable forces. And this logic was applied – it seems at least initially unconsciously – to immigration policy.

The conclusion that there was no alternative to globalisation was a political construction devised by the Party. Yet this ideology held such a powerful force and came to dominate and shape what Labour did to such an extent that leading Labour elites guided their political action according to the logic of globalisation, and extended the rationale to other areas of policy which were traditionally influenced and made in reaction to public preferences. The irony is that in building and adhering to a party ideology which was modern and appealing to the British public, the Party wound up having a public policy which was fundamentally at odds with public preferences (Saggar 2003). It is in this sense that the policy change was an unintended outcome of intended action.

### **5.5 Cosmopolitan pluralism**

This economic reasoning was reinforced by a secondary aspect of the Third Way, its cosmopolitan pluralism, which was part of New Labour’s wider project of fostering a progressive interpretation of British identity based on ideas of tolerance, openness and internationalism; ‘enlightened patriotism’ as Blair called it (Driver & Martell 2002, 144; Shi 2008). Labour capitalised on (or arguably made) the ideas of the time, and fashioned a policy for the “winners of globalisation”, that is the ‘people who benefit from new opportunities resulting from globalisation, and whose life chances are enhanced’ (Kriesi et al. 2008, 5). With the cultural cleavage transforming – polarizing a cosmopolitan, pro-European position on the one hand, with nationalism, isolationism and protectionism on the other – Labour appealed to the former in a bid to become a centrist party:

In becoming more pro-European Labour shifted away from the views of its traditional support base in the working class and towards the target group of the educated middle classes that provided the core of new party members and a basis for the Party's electoral success in the 1990s (Kriesi & Frey 2008, 196).

This ideological shift in the Labour Party corresponded with a change in the profile of Labour Party MPs, including the election of 101 female Labour MPs; historically the most female representatives in Parliament:

[The immigration policy change] coincided with a sociological shift in the Party from having strong roots in industrial working class Britain; fewer MPs coming from trade unions and so on. There was that cultural shift going on which made large scale immigration a sort of thing that one welcomed (Interview with David Goodhart, 2012).

In terms of how party ideology shapes elite preferences towards immigration, factions of the Party viewed immigration as an intrinsically positive thing which was consistent with Labour values, especially the longstanding emphasis on equality of opportunity for ethnic minorities:

Most of the establishment [Labour Party] believed in it – that immigration was socially and intrinsically a good thing..... And I think given how important race and multiculturalism had become within the Labour party, the impression I've had is that most people in the Party, most people on the left, most liberals, tend to think of immigration as an intrinsically good thing.... there are particular policy levers but I think they're informed by a set of political, cultural assumptions (Interview with former SpAd, 2012).

Numerous interviewees commented that there was an assumption in the Labour Party that embracing immigration was a logical reflection of Labour values: 'It [migration] is at the heart of Labour values- tolerance, openness, equality- all those sorts of things. I think they're very closely linked to celebrating migration' (Interview with Margaret Hodge, 2012). Labour MP John Denham suggested that the Party took 'a fairly *Guardian* type view of these issues', to the extent that the Party perceived immigration as a fundamentally positive thing (Interview with John Denham, 2012).

With values of openness and tolerance inscribed at the heart of the Party, Labour's approach to integration complemented the notion of having an expanding immigrant population. The Party embraced diversity and their integration policy was grounded in multicultural ideas. This was also reflected in their concept of British national identity, based on 'shared values not unchanging institutions' (Blair 2000c). Blair's notion of

British identity was founded on ideas of liberal pluralism, communities, inclusivity, openness, tolerance and rights with responsibilities (Blair 2000c; Martell & Driver 2006). Linked to embracing diversity was the idea that migration was part of a wider framework around civic republicanism. David Blunkett in particular advocated an approach which saw migration and civic republicanism as two sides of the same coin. In a pamphlet written for IPPR, Blunkett suggested:

We have not historically had a strong tradition of common citizenship, or what is termed civic republicanism in political philosophy. We have tended to the *laissez-faire*, resting on anti-discrimination legislation to tackle racism and exclusion, and loose association in the public realm, rather than giving real meaning and content to the acquisition of citizenship (Blunkett 2003, 15).

Blunkett was attempting to redefine the meaning of British citizenship, shifting the focus to “active citizenship”, and in turn linking the idea of duties and entitlements to migration. The ID card scheme for example, was envisaged as ‘a sort of badged membership of the political community’ (Interview with Don Flynn, 2012). A flexible comprehension of national identity that was not based on any kind of ethno-cultural or even historical notion of citizenship could contain and respond to an expanding immigrant population.

The alignment of economic liberalism with national-cultural progressivism also helps to explain why previous governments, in particular the Conservative administrations of the 1980s and 1990s, had *not* previously liberalised immigration policy. For New Labour’s economic liberalism was certainly not new. Indeed, some argue that the Labour Party’s adaptation was simply an ‘accommodation’ of changing conditions and ‘catching up’ with the neoliberal doctrine of Thatchersim (Heffernan 2000). The Party’s modernisation undoubtedly resulted in a shift to New Right politics in terms of their economic policy (Hall 2003). But the Thatcher governments had stopped well short of a liberal approach to immigration. This was principally because Thatcher’s commitment to the free economy was counterbalanced (some would say contradicted) by conservative nationalist values. As Giddens observed of Thatcherism, ‘devotion to the free market on the one hand, and to the traditional family and nation on the other, is self-contradictory. Individualism and choice are supposed to stop abruptly at the boundaries of the family and national identity, where tradition must stand intact’ (Giddens 2003, 34).

Whilst Thatcher's economic programme logically implied a more expansive immigration policy, the embedded commitment to national identity and tradition in the Party's ideology pulled in the opposite direction: '[she] adopted a populist approach which depicted immigration as a threat to British nationhood....Thatcherism exhibited a cultural integrationist perspective which held that successful integration required that ethnic minorities accept the primacy of British values' (Lynch 2000, 62). In the event, the latter won out as the Thatcher and Major governments maintained and in the former case even extended the status quo of immigration restriction, both in rhetoric (e.g. Thatcher's infamous 'swamping' statement in 1978) and in legislation (all of the major Acts of the 1980s – the 1981 British Nationality Act, the 1987 Immigration (Carrier's Liability) Act, and the 1988 Immigration Act – had a restrictive intent). From the perspective of immigration politics, what was 'new' about New Labour was its embrace of neo-Thatcherite ideas, adapted and extended into a hyper-globalist understanding of the economy, and yoked not to an insular account of national identity but to an inclusive and even cosmopolitan conception (*see* e.g. Blair 2000c; Consterdine & Hampshire 2014).

A new centre-left governing party and its reorientation makes economic immigration policy change seem a natural consequence of New Labour's ideology for three interconnected reasons: an uncompromising belief in globalisation, a need for labour market flexibility and Labour's historical values of openness and embracing diversity dovetailing with a flexible, cosmopolitan pluralist vision of national identity. For all these reasons, economic immigration policy mirrored New Labour ideology.

This being said, ideology works only as a broad infrastructure to guide action. Few office-seeking parties prioritise ideological purity over electoral expediency. Parties are office-seeking organisations, and thus they develop and change policies in line with what they perceive to be public preferences in order to capture voters<sup>56</sup>. Strategy is

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<sup>56</sup>Founder of Migration Watch Sir Andrew Green has argued that Labour's expansive regime was conversely a strategy; in a bid to create a pool of potential voters. This was found to be baseless. Green's claims were based on an article published by journalist and former Home Office SpAd Andrew Neather in 2009 in the *London Evening Standard*. Drawing on notes from a meeting Neather attended concerning the 2001 joint PIU and Home Office report *Migration: a social and economic analysis* (Glover et al, 2001), Neather wrote that there was a 'political purpose' to the paper: 'that mass immigration was the way that the government was going to make the UK truly multicultural' (Neather, 2009a). Neather attested that there was a 'clear sense that the policy was intended – even if this wasn't its main purpose – to rub the Right's nose in diversity and render their arguments out of date' (Ibid). Following this

essential for party success and this requires a trade-off between ideological integrity and electoral calculation. It is the other side of immigration policy (asylum) which provided this trade-off.

### ***5.6 Control and continuity: the other side of immigration policy***

It may have made ideological sense to pursue an expansive economic immigration policy, yet asylum policy ran in the opposite direction. By being firm on asylum both in rhetoric and policy the Labour government were attempting to appease electoral concerns whilst pursuing an expansive economic immigration policy, albeit somewhat behind Whitehall doors. The two streams were seen as interconnected, as Immigration Minister Beverley Hughes maintained: ‘the strategies of bearing down strongly on abuse of the asylum system and opening up legitimate routes in, are the two essential strands of a coherent policy’ (Hansard 28 October 2002, col 28).

The bifurcation between “wanted” and “unwanted” immigration allowed the Labour government to be tough on asylum whilst almost tacitly pursuing expansive economic immigration. The two strands of policy can thus be seen as a complementary strategy for the Labour governments. As Mulvey (2011, 1478) puts it, ‘Policy was control on one side (asylum) to allow continuity on the other (labour migration)’. The leading faction of the Party purportedly believed that if they could resolve the asylum backlog and “unwanted” immigrants, the public would be supportive of expanding “wanted” immigrants:

They thought that if you could deal with the sense of a problem around the large number of asylum claims which were thought to be unfounded, and issues around people coming to claim benefits, if you deal with those things then what you’re left with is the masses of the people who are genuinely coming to work or to study. They were convinced that in that case the great majority of the public’s concern about this would drop away, and I think there’s an argument for saying that they were mistaken about that (Interview with former SpAd, 2012).

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publication, Sir Green contends that the Labour government deliberately induced a mass immigration, in order to create a larger pool of available electorate, on the assumption that immigrants would be more prone to vote for Labour. However, a week after the original 2009 article and the controversy this caused, Neather wrote an article accusing the right-wing press of distorting the original article to suggest that there was a plot to make Britain multicultural, stating that ‘There was no plot’ (Neather, 2009b). Neather supported this with further comments in an interview.

On asylum they were sort of trying to be quite tough and restrictive, meanwhile they were running, in retrospect what looked like positively reckless open policy of economic migration. Reckless, not with the economy, not with real things if you like, reckless in terms of their political reputation (Interview with Tim Finch, 2011).

The White Paper *Secure Borders, Safe Havens* (2002a), written by Home Secretary David Blunkett and his special advisor Nick Pearce, was an explicit attempt to articulate this dual strategy to the public, premised on the Blunkett equation outlined in chapter three (Balch 2010). The purpose of the paper was to provide an integrated statement which drew together the two different threads (asylum and economic). Blunkett's view was that,

the big spikes in asylum were partly about economic migration. We needed to reform the system and the Prime Minister was firmly of that view. David felt that if there were managed migration routes to meet labour market needs then people could use those so they wouldn't chose to go through the asylum route and therefore you would have a diminution of asylum claims, and that this would also alleviate irregular migration. So his whole purpose was to bring it into an integrated and legal framework. He hoped to secure public confidence in doing this. He wanted to the British people to understand that they could have confidence and trust in the systems the government was running (Interview with Nick Pearce, 2014).

Arguably the dual strategy did not succeed in appeasing public concerns; immigration rose as an issue of voting importance throughout Labour's time in office, becoming a top three voting issue by 2003 and preferences pointing fairly unequivocally towards restriction (Ipsos Mori 2004; Saggar 2003). Many interviewees suggested that the Labour government's failing was that the policy was not effectively communicated to the public, or in other words 'they didn't sell it enough, they didn't work hard enough to convince the public that this was a good thing' (Interview with Tim Finch, 2011).

### **5.7 Constraints on party action: internal dissent and external competition**

Whilst the ideological repositioning of the Labour Party proved to be an important component in explaining the policy shift, governing parties do not operate completely autonomously. Governing parties can and do face constraints both internally from within factions of their party, and externally from opposition parties seeking to gain office. Internally, governing parties can face constraints in implementing policy from its parliamentary party, in this case the Parliamentary Labour Party (PLP). It is rare to see a government defeated in the Commons by its own MPs, but nonetheless MPs can and do

collectively rebel and in turn potentially block policy. Indeed, party unity in the parliamentary party is a key component of the art of statecraft (Bulpitt 1996). The next section examines the extent to which the Labour governments faced such constraints in implementing the policy reforms by firstly addressing resistance from within the PLP, and subsequently examining the party political context and the extent to which opposition parties challenged the reforms.

#### ***5.7.1 Dissent and intra-party conflict***

After losing office in 1979, the Labour Party was ‘racked by internal disputes over the Party’s future direction’ (Fielding & Geddes 1998, 66). Factionalism, rebellion and internal dissent were frequent problems for the Party throughout the post-war period (Cowley 2002). This was a significant problem for the Labour Party given that party parliamentarians are one of its most public manifestations and therefore ‘parties that want to appear united want their MPs to appear united’ (Cowley & Stuart 2003, 316).

For the reinvigorated “New” Labour Party, cohesion and consensus was a key objective, and to achieve this strong leadership was required (Shaw 2002). The Party leadership of both Blair and Brown were known to go against their own Party at times. Blair had a ‘high belief in his ability to control events’ (Dyson 2006, 303) and scholars have suggested his time in government was a ‘command premiership’ where he strove to be ‘the ruler of the state rather than its servant’ (Hennessy 2005, 15). Blair’s strategy was to talk up how bad divisions had been previously in order to talk about how good things had become in the Party (Bale 1999). This allowed the ‘Party’s supposed cohesion to be presented as an important part of what made it new, and (just as importantly) what made Labour different from the Conservatives, [who were] then widely seen by the public as split’ (Cowley & Stuart 2003, 316).

Certainly in terms of the number of revolts, the PLP conformed to Blair’s wishes, with the first term having the fewest rebellions by government back-benchers since 1955 (Cowley & Stuart 2003, 317). In turn, the PLP in Labour’s first term were criticised for being ‘timid, sycophantic, acquiescent and cowardly’ (Cowley 2005, 3). Most previous Labour leaders were accused of not being in control of the Party, but ‘after 1997 the



complaint was that that the leadership was too much in control' (Cowley 2005, 3). Cowley and Hall (2003, 324) argue that the changes in the composition of the PLP made rebellion less likely and thus acted in the interests of the party leadership. On all measurable criteria associated with rebellion, the parliamentary party fell short: 'there were fewer left-wingers; there were probably more delegates; there were more young MPs; and there was little organised opposition to the government'. As a result, it is fair to say that the first term of office was a consensual time for the PLP, and therefore for the Labour government.

This is not to suggest that rebellions did not occur however; there were deep divisions and rebellions on Labour's asylum bills. In particular the 1999 Immigration and Asylum Bill saw 61 Labour members sign an Early Day Motion put down by Diane Abbott, focusing on the issue of the children of asylum seekers and urging the government to reconsider their proposals (Cowley 2005, 67). Chair of the All-Party Group on Refugees, Labour MP Neil Gerrard, then moved an amendment to remove families with children from the voucher system altogether. However, Home Secretary Jack Straw made concessions and with some persuasion Straw 'chipped away at the would-be rebels until Gerrard, seeing how little support he now had as a result of Straw's concessions, decided not to press his amendment to a vote' (Cowley 2005, 69). Nonetheless, 17 MPs<sup>57</sup> voted against the whip on the 1999 Immigration and Asylum Bill and the divisions over the somewhat controversial measures – namely the voucher system which was soon scrapped – was certainly evident in the PLP. But this remained a 'narrow interest' and aside from controversies over Labour's asylum plans, the government faced no opposition from the PLP in terms of their plans on economic immigration (Interview with Pearce, 2014).

However, the lack of division on the changes may have been because the majority of reforms required no primary legislation. No legislation equalled no vote, and therefore no rows. The policy reforms were formulated by the leading Labour faction, along with civil servants in the Treasury in a fairly closed manner, as will be discussed in the next chapter. The only policy which required votes was the A8 decision (to not place transitional controls on new accession countries). In the second reading of the European

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<sup>57</sup> In total over the four readings of the Bill

Union (accessions) Bill in 2003, with 76.6 per cent turn out from the PLP, the Party unanimously voted aye. Whether rebellions would have occurred if such changes had required legislation and thus votes is a counter-factual possibility. However, given the scarcity of rebellions on all types of policy in the first term, it seems unlikely that the reforms under study here would have caused much outcry from the PLP in any case. The closed network in which these reforms were made means that the Constituency Labour Party were very unlikely to be aware of these reforms and thus the government faced no opposition from either branches of the Party.

Whilst the reforms faced no PLP opposition when being formulated and implemented, the overarching policy shift was publicly criticised by some members of the PLP in Labour's final term of office (2005-2010). Thus the stipulation that the Labour Party, as part of their ideological core, advocated expansive immigration should be weighed against the fact that there was not necessarily universal consensus within the Party. Rather it was the leading faction of the Party, who were proponents for economic globalisation, who steered the policy. A handful of backbenchers expressed discontent on the broad thrust of the policy reforms, claiming that the government had not considered the local impacts of immigration in areas which received a dense concentration of this new inflow of immigrants. Nevertheless, the intra-party dissent was not fully articulated until the late 2000s, after the policy changes had transpired.

The critique of the policies from Labour MPs was conceivably motivated by electoral calculation. There was a fear that the disproportionate impact of immigration on poorer communities in Labour strongholds (such as Jon Cruddas's and Margaret Hodge's) would lead to the BNP mobilising disaffected Labour voters in the 2009 European Parliament elections (Interview with Margaret Hodge, 2012; Harris/Guardian 2010; Stevenson 2013; Ford & Goodwin 2010). In response, some Labour MPs speculated that the expansive immigration policies had not accounted for the impacts on local communities, socially, economically and culturally. Although these concerns were heightened in Labour's final term of office, the intra-party conflict on the issue of expansive immigration and its ramifications, had been trailing throughout Labour's time in office:

People like me and Jon Cruddas have constituencies which were facing massive change, we saw the political and social reactions and so we tended to take a

different view. I would've said that over time, the number of people who were disconcerted by what was happening grew fairly steadily. But initially it wasn't seen as a major point of concern for the majority of people in the Party (Interview with John Denham, 2012).

The policies had a disproportionate effect, and led to concentrated immigration populations in specific areas, often poorer areas such as Dagenham and Barking. This led to radical social and demographic changes in these communities which, according to Hodge, Denham and Cruddas, the government did not plan or accommodate for. Fundamentally, the intra-party conflict on the issue exemplified a wider tension between national strategies on the one hand and the local impacts of policy on the other. This "neglect" of local communities at the expense of expansive immigration policies was seen by many Labour MPs as a betrayal of Labour's traditional core voters:

These [immigration flows] are not just simply proportionally distributed across all the constituencies in Britain. There are certain ones that intensely take the strain of these pangs of extraordinary demographic changes. The poorest areas or the lowest costs housing areas and that's where we sat, we got no help whatsoever.... It [managed migration policy] doesn't have a logic to it if you're one of those MPs in a community is just pushing through extraordinary changes which is not recognisable and you're not getting any help with (Interview with Jon Cruddas, 2011).

Margaret Hodge similarly suggested that her constituents faced competition (or at least perceived that they were competing) with immigrants over public services and housing. She suggested that the apparent priority of housing for immigrants<sup>58</sup> and consequential neglect of their white working class core constituencies posed a contradiction in terms of Labour values, given that the Labour Party 'have a value about strong communities and strong communities means keeping people together' (Interview with Margaret Hodge, 2012).

Public services aside, according to Hodge, Denham and Cruddas working class residents representing Labour's core constituents also faced job competition with immigrants as a result of the expansive policies:

The competition at the bottom within certain segmented labour markets is ferocious and the argument that it has no effect on labour market conditions is

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<sup>58</sup> Social housing is allocated on a priority needs basis. This means that those who are most vulnerable, or who have vulnerable dependants such as children or elderly relatives, and face homelessness are housed before those who are already in safe, dry and warm accommodation. Migrants are treated exactly the same as local residents, but will struggle to prove a local connection so are unlikely to be placed on the housing list, although they may be placed in temporary accommodation to prevent children sleeping on the streets, then helped to find privately rented accommodation. The exception is asylum seekers, who due to their many vulnerabilities may well be housed before local residents, as part of the legal obligation the UK has under asylum laws.

completely fallacious; pushed around by economic liberalists who singularly look at macroeconomic aggregates and do not look at the micro climates or the segmented labour markets in which this competitiveness is intensified (Interview with Jon Cruddas, 2011).

In part the critique stemmed from a perceived inadequacy of Labour's multicultural policy. Backbenchers claimed that Labour's integration policy did not lead to dialogue between the British resident population and immigrants, and that this lack of communication had created segregated communities. Moreover, some MPs suggested that the government were not investing enough in local public services in areas which had received a high concentration of immigrants:

If you're going to be grown up enough to have this migration policy in terms of the number of people going in and out of the country, then you have to take responsibility or corresponding agenda around public services, provision, having a real time demographic audit, a real time census going on every year, housing policy, and a labour market agenda that means this isn't built on a race to the bottom because that provides really dangerous issues for community cohesion which I think we've seen. Therefore it isn't an empirical question for me of how many; it's a question of what is the broader policy mix (Interview with Jon Cruddas, 2011).

For all three of these MPs (Cruddas, Hodge and Denham) and other Labour backbenchers, it was not so much objection to the policy of expansive immigration, but the lack of effective policy to counter local impacts of concentrated immigration, in particular costs to local public services. In addition, many MPs suggested that the social and demographic changes were too radical and too sudden for their constituents to handle. Other Labour backbenchers were (and continue to be) opposed to expansive immigration policies for broader reasons, in particular critical backbencher Frank Field MP. Beyond public critiques of Labour's immigration policy, Frank Field, along with Conservative MP Nicholas Soames, are the co-chairs for the cross-party group 'Balanced Migration'<sup>59</sup>.

Aside from the intra-party conflicts over the impact of these policies, there was also some disagreement within central government over how to 'handle' the issue of immigration. Blair and Brown were particularly divided as to how to manage the issue. Interviewees commented that while Blair understood the politics of asylum – indeed

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<sup>59</sup> The Balanced Migration group work closely with pressure group Migration Watch, and propose limits to those migrants who can live in the UK permanently.

one interviewee claimed Blair was ‘totally obsessed with asylum’ (Interview with Will Somerville, 2011) – he did not understand the politics of economic immigration:

I think it’s one of those ones where the centre or the leadership of the party was most out of touch with what was happening up and down the country..... Blair in a sense understood about asylum seekers, but he didn’t really understand about migration..... I don’t think Blair had any instinctive feeling for how migration was felt and experienced of change where the job market was... you had this disconnect with the story being told in central government and what was really happening (Interview with Jon Denham, 2012).

A handful of interviewees alluded to a division between Blair and Brown, in terms of how or if the Party could “own” the issue. Brown, although supportive and arguably driving the earlier reforms as Chancellor, was purportedly quite fatalistic, believing Labour could never win on immigration, that immigration was a Conservative owning issue and that therefore the best approach would be to keep immigration off the political agenda:

Brown believed very strongly that both immigration and law and order issues were issues that Labour could never win on. If you wanted to have a successful election campaign, you had to keep immigration off the agenda as far as possible (Interview with former SpAd, 2011).

In contrast to Brown, Blair allegedly thought that if the public understood the rationale for economic immigration reform, the public would come out in favour of Labour’s position. Ultimately Blair was less cynical than Brown in Labour’s ability to acknowledge and own the immigration issue:

He [Blair] was less fatalistic about the capacity of the government to manage the immigration system successfully. I think he genuinely thought that if you had the right people in the Home Office, if you had the right people managing the immigration service and agency, you had the right leader and the right policy, then actually you could control the system...but that was not a view that was universally shared across government (Interview with former SpAd, 2011).

Central government divisions were on handling rather than the substance of policy however, and whilst there was some division within the PLP on the reforms, this was not articulated until the final term of office by which point the reforms had transpired. It is worth mentioning that since the Party’s defeat in 2010 the former<sup>60</sup> and current core leadership of the Party have frequently conceded to the purported ‘mistakes’ made on immigration policy, and have even apologised for such actions (Miliband 2012).

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<sup>60</sup> For example, former Home Secretary (1997-2001) and Foreign Secretary (2001-2005) Jack Straw conceded in 2013 that Labour made ‘a spectacular mistake’ in not imposing transitional controls on A8 countries in 2004 (Straw quoted in *The Telegraph*, 2013).

Nonetheless, when policy was formulated and implemented in the late 1990s and early 2000s, the Labour government faced no pressures or constraints from the PLP, which partly explains how the policy shift materialised so easily and so rapidly.

**5.7.2 External constraints: ‘This will be a bipartisan policy that I hope will last for many years’ (Letwin, 2002)**

Whilst government action is rarely defeated by its own party parliamentarians, governments seldom face such amiable conditions from opposition MPs. Parties compete to “own” issues, and consequently opposition parties act as agents who ramp topics such as immigration up (Bale 2008) often to discredit governing parties and in a bid to win votes. Until 2010 Britain was regarded as a two-party system<sup>61</sup>. The analysis here therefore concentrates on the government’s chief and official (shadow cabinet) opposition, the Conservative Party.

Traditionally right wing parties dominate and “own” the issue of immigration, at least in terms of competency and border control (Green & Hobolt 2008). Yet as discussed in chapter two, immigration is a problematic issue for centre-right parties, such as the British Conservative Party, as it exposes the tensions between the ‘identity right’ and the ‘business right’ (Bale 2008). Nevertheless, the Conservative Party pursued restrictive immigration policies throughout the post-war period. In contrast to this decidedly restrictive stance, the Conservative opposition scarcely objected to Labour’s expansive policy reforms in the late 1990s and early 2000s, and were in fact largely supportive.

This submission can partly be attributed to the Party’s generally ‘futile period in opposition’ between 1997 and 2001 (Collings & Seldon 2001, 624). Whilst the 1997 defeat was ‘not unexpected, its scale was devastating’ (Robinson 2012, 89). The Conservative Party had lost its long-cherished reputation of economic competence following the Exchange Rate Mechanism crisis in 1992 which ‘almost certainly undermined any subsequent economic policy initiatives and contributed substantially to Labour’s [1997] electoral landslide’ (Farrell & Webb 2002, 23). Indeed, the European issue proved to be a ‘profoundly divisive issue for the ruling Conservative Party’

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<sup>61</sup> See <http://www.bbc.co.uk/news/uk-politics-24123207> for discussion

(Taggart 1998, 365). Numerous Tory MP scandals in the 1990s saw the Party labelled 'the Party of sleaze' (Farrell et al., 1998). Coupled with the deep and publicly visible divisions over Europe, the Party had lost the public's faith by the 1997 General Election (Farrell et al. 1998; McAllister & Studlar 2000). The heavy electoral defeat left the Party intensely divided and lacking in policy direction and clarity on all fronts (Collings & Seldon 2001, 628).

The Labour Party on the other hand held the largest majority in the House of Commons in the post-war period, making the government especially powerful and able to govern (and pass policies) with supreme autonomy. Blair has been compared with two agenda-setting prime ministers of the past century, Attlee and Thatcher, and his party governed under similar conditions which contributed to Labour's dominance, including: a long period of office, a large parliamentary majority, weak opposition, and a favourable climate of opinion (Kavanagh 2005, 4). Alongside a booming economy 'it would be hard to imagine more propitious circumstances than those in which Tony Blair's New Labour government swept to power in May 1997' (Brown 2011, 403). In contrast, the Conservative opposition was divided, uncoordinated and fairly debilitated following such a heavy defeat.

The generally weak position of the Conservatives aside, the parliamentary debates on immigration in the late 1990s and early 2000s (during which the economic immigration reforms were established) were dominated by asylum in any case. Therefore any opposition from the Conservatives was focused on changes to the asylum policy, as Blunkett's former SpAd surmised: 'I mean the opposition weren't particularly focused on this [economic immigration], no one was!' (Interview with former SpAd, 2012). Former IPPR associate Danny Sriskandarajah similarly commented that the lack of attention, both politically and publicly on economic immigration, partly explains how the Labour government were able to pass such radical policies:

Because the focus in the early 2000s was so much on asylum, they could get away with it. I mean nobody was looking at net migration in the way they do now, as a sort of overall number based target. People here were just thinking of the number of asylum seekers, what was happening in labour market terms wasn't that interesting.

In turn, press attention was focused on asylum seekers and refugees in the late 1990s and early 2000s, and until the 2004 A8 decision, economic immigration ‘largely slipp[ed] under the radar’ (Mulvey 2011, 1485). The right-wing press were particularly attentive (and hostile) to asylum seekers, with the *Daily Express* and the *Daily Mail* covering more stories on asylum than anything else in 2002 (Greenslade 2005, 21). Nonetheless, in terms of economic policy, the press were inattentive:

There was no great anxiety from the press. At the very least there was no underlying hostility in the press except on particular things like asylum. If anything there was a positive view, but that did change by 2005 (Interview with David Goodhart, 2012).

The lack of press attention and political opposition on the government’s economic immigration reforms gave the Party sufficient autonomy to pass these policies with relative ease. The next section will demonstrate the Conservative’s lack of opposition to Labour’s reforms by chronologically tracing the Party’s framing of immigration and reaction to Labour’s reforms whilst in opposition, with a specific focus on the period 1997-2005 when the reforms under study here were made.

#### **5.7.2.1 1997-2005: *asylum crisis***

In the run-up to the 1997 General Election immigration barely warranted a mention in the Conservative Party’s manifesto. The only suggestion was to maintain the post-war bipartisan consensus that ‘firm but fair immigration controls underpin good race relations’ (Conservative Party 1997). Beyond these broad statements which had little policy substance, immigration and asylum were not on the political programme. This is hardly surprising when contrasted with the likewise scarcity of immigration content in Labour’s manifesto. Immigration was simply not on the political agenda in 1997 (Kriesi & Frey 2008; Saggar 1997a; Saggar 1997b).

Within the House of Commons, the Conservative’s opposition to immigration reforms were weak and uncoordinated. The opposition focused their attention on the asylum backlog as well as so-called ‘bogus asylum seekers’; strengthening border controls; and, following the Amsterdam Treaty, whether the UK would participate in the Schengen acquis. Following the 1998 White Paper *Fairer, Faster, Firmer* the Conservatives were broadly supportive of Home Secretary Jack Straw’s new measures on asylum (Hansard 27 July 1998). As Straw reflected: ‘No one on the Opposition Benches condones bogus



applications for asylum: everyone condemns them' (Ibid). Thus unsurprisingly the measures set out in the White Paper to curb abuses in the asylum system were met with cross-party support.

In the run-up to the 2001 election, asylum began to creep further up the political agenda. Immigration and asylum were one of the few issues which the Conservatives enjoyed a lead on, and the Party subsequently chose to exploit this in the 2001 campaign (Bale 2010, 122). Leader of the opposition William Hague adopted a tough rhetoric on asylum, claiming that 'People are arriving in Britain armed with expert knowledge of how to exploit our asylum laws; what to say on arrival; how to string out appeals and how to remain here if their cases are eventually turned down (Hague cited in BBC 2000). In contrast to the Conservative's 1997 manifesto, the Party's 2001 manifesto contained far more policy substance on asylum, suggesting that 'Britain has gained a reputation as a soft touch for bogus asylum seekers' (Conservative Party 2001). However, while the Conservatives addressed asylum, there was no mention of economic immigration.

Whilst the Party initially took advantage of their lead on immigration, as the campaign progressed the Party were accused by the *Sun* newspaper of 'flirting with extremism' (Sun 2001). Subsequently on pain of being accused of prejudice again, Hague signed a Commission for Racial Equality (CRE) pledge committing politicians not to 'play the race card' (Guardian 2001). Whilst the campaign served to reinforce the Party's long held lead on immigration, the Party could not lift it above those issues 'which counted most and on which Labour enjoyed massive leads' (Bale 2010 130). Thus, whilst 'Hague ran quite a traditional tough immigration policy in the 2001 election and of course didn't get very far, in a sense that's an indication that it wasn't hugely salient at that point' (Interview with former SpAd, 2011). Although the tough rhetoric on immigration and asylum possibly won the Party a few votes, the campaign may have done the Party more harm than good, as 'it provided its opponents with yet another chance to brand it as extreme, obsessive, and old fashioned' (Bale 2010, 130).

Economic immigration attracted less attention than asylum from frontbenchers on both sides of the House in the early 2000s. Throughout the late 1990s and early 2000s, any debate on immigration in the House was consistently deflected by discussions on the handling of asylum, epitomised by Julian Brazier's question to the Home Secretary within minutes of a debate on immigration beginning:

Everybody accepts the terrific benefits that this country has enjoyed over the years and centuries from the immigration of people with key skills, but is not this scheme one more example of the Government trying to paper over the disaster that is their asylum policy? (Julian Brazier, Hansard 28 October 2002).

While the saliency of asylum may have been rising, objections to the economic immigration policies were scarce. When Home Secretary David Blunkett announced proposals to expand economic immigration routes – by liberalising the work permit criteria; developing 'fast track' entry routes for those with high skills; and allowing students to remain in the UK for work post-study – his announcement was met with limited opposition. To the extent that there were debates on the economic immigration reforms, the Conservatives appeared to be broadly supportive of the new schemes:

Neither the Home Secretary's Labour predecessor nor his Conservative predecessors moved as well in this direction as he has sought to do. This will be a bipartisan policy that I hope will last for many years (Oliver Letwin, Hansard 24 April 2002).

The third largest party, the Liberal Democrats, were likewise supportive, concurring that 'migration is net financially beneficial' (Simon Hughes, Hansard 18 March 2003) with current deputy leader of the Party Simon Hughes being particularly enthusiastic:

The Home Secretary sensibly responded to the call for a more inclusive and widespread review of immigration policy so that more people can enter the country lawfully to do the jobs that British society and our economy need them to do (Hansard 24 April 2002).

A few Conservative MPs did however raise concerns about the potential number of immigrants that the new managed migration scheme could potentially bring to Britain (David Cameron, Hansard 18 March 2003; Peter Lilley, Hansard 24 April 2002). The Conservatives appeared to accept and acknowledge the government line that immigration was an economic good, but argued that the 'economic benefits of migration may be outweighed by its negative social impact' (Boswell 2009, 120; Hansard 19 March 2003). It should however be noted that there was a lack of parliamentary debate

for much of the reforms in the first instance, because, as discussed, they did not require primary legislation.

Although opposition from the Conservative Party to migration schemes, such as the expansion of work permits, was limited, the A8 decision played out slightly differently. The Conservatives could have mobilised anti-immigrant public preferences and even Euroscepticism, by framing the A8 decision as an expansive and uncontrollable immigration policy. Yet the decision was mainly debated in foreign policy terms and the Conservatives were contrarily supportive, demonstrated by 126 Conservative MPs voting aye and only two members rebelling (with a 78.5 per cent turnout) in the second reading of the Bill in 2002. Conservative MPs made frequent reference to the fact that, while in government, they pushed for Central and Eastern Europe (CEE) pre-accession negotiations. Opposition Spokesman for Foreign Affairs Richard Spring articulated this as part of his opening statement on the first debate of EU enlargement:

I can only repeat that, when in government, our party was one of the first advocates of enlargement to embrace Central and Eastern Europe...We warmly welcome the participation of these countries in the European Union, and, of course that implies freedom of movement (Hansard 5 June 2003, cols 346-75).

He originally began the debate by calling for transitional controls for the first year of accession, claiming (rightly) that immigration flows from the A8 would be far higher than predicted. Yet by the end of the debate Spring withdrew his objection (and amendment 4 (transitional controls)):

The Minister has said that safeguards are in place and she has spelled them out. I accept and I am grateful to her for that...I endorse entirely her point that we want to send out a positive message to the accession countries. We were entitled to ask for clarification, but the overriding importance of the Bill was shown on Second Reading, when something historically extraordinary happened in this Chamber: unanimous acceptance of the Bill. In that context, we will not seek to divide the Committee. The spirit of our support across the party political divide for the accession countries is so deeply rooted in the thinking of successive Governments that we do not propose to take these amendments any further (Hansard 5 June 2003, vol 406).

This statement reflects the bipartisan support of the A8 decision. Britain was a keen supporter and indeed a “driver” of CEE accession (Schimmelfennig 2001). The interest in CEE accession was principally due to trading ties and a foreign policy interest in forging alliances with CEE states at the EU level, which under the early 1990s Conservative governments ‘appears to have been based on the calculation that an

extensive “widening” of the Community would prevent its further “deepening” and might even dilute the achieved level of integration’ (Schimmelfennig 2001, 71). As a result, Thatcher was one of the biggest advocates of CEE accession: “We can’t say in one breath that they [CEE states] are part of Europe and in the next our European club is so exclusive that we won’t admit them” (Thatcher 1990, 3). As a consequence of Britain’s foreign policy interests, all parties were supportive of unfettered labour market access to new CEE citizens, almost as a symbolic gesture to Britain’s expectant allies. Arguably if the Tories had won office in 2001 they would have made the same decision (Persin 2007, 21).

However, as 1<sup>st</sup> May 2004 approached, the Tories’ enthusiasm for CEE accession seemed to wane and some, albeit limited, opposition was raised as to how many A8 citizens would come to Britain (Ann Winterton, Hansard, 5 June 2003). Objections to EU enlargement were mainly concerned with “welfare shopping”, the impact on agricultural communities, along with fears of a possible influx of “Roma” people (although the latter concern was initially raised by Labour MP Denzil Davies). The principal contention was that A8 migrants would come to the UK to acquire social benefits, and that this would subsequently place great pressure on housing and public services. The solution proposed by Conservative MPs, such as David Davis, was to use the work permit system to regulate A8 migration (Hansard 23 February 2004, vol 418). Therefore the objection from the Conservatives was the method of monitoring immigration from the A8 states rather than the decision itself (Ibid). In response, Blair quickly announced that citizens of the EU’s new member states would have their access to UK welfare payments severely restricted (Bale 2010, 207). Furthermore, as a result of the Tories’ politicisation of potential welfare shopping (combined with media pressure) the government was forced to rapidly develop and implement the Workers Registration Scheme (WRS).

With a new party leader at the end of 2003 came a new party strategy. In contrast to his predecessor Iain Duncan-Smith, newly appointed leader of the Conservative Party Michael Howard called for transitional controls on the A8 countries. Howard outlined his objections in his ‘British Dream’ speech in Burnley (scene three years previously of race riots) in February 2004, a mere three months before accession, which suggests that these objections were likely to be politically calculated, partly because the BNP had

gained some success in recent local elections (Gajewska 2006, 391). This protectionist line was however fiercely opposed by business groups such as the BCC (Bale 2010, 207), and Howard soon went quiet on imposing transitional controls.

#### **5.7.2.2 2005 Break Point: it's not racist to impose limits on immigration**

The 2005 election campaign saw a harder, tougher and arguably more populist and orthodox stance from the opposition on immigration and asylum. The Party, or more specifically leader Howard and shadow immigration minister David Davis claimed in interviews and a full page ad in the *Sunday Telegraph* that immigration was 'unlimited' under Labour, which was allowing 'a city the size of Peterborough' to settle in the UK each year (Bale 2010, 242). The Tories also employed a measure of 'dog-whistle politics' (Geddes & Tonge 2005) epitomised in their 2005 manifesto title, *Are you thinking what we're thinking?*, where leader Michael Howard condemned the 'out-of-control immigration system' (Conservative Party 2005). In contrast to the mere paragraph on immigration in the 2001 election manifesto, the Conservative Party's 2005 manifesto dedicated a whole chapter to the Party's plans on immigration with the infamous title 'It's not racist to impose limits on immigration'. For the first time in opposition, the Conservatives proposed an explicit limit on immigration in their manifesto, arguing that 'refusing to set a limit on new migrants is irresponsible politics' (Ibid). The manifesto proposed: withdrawing from the 1951 Geneva Convention; 24 hour surveillance at ports and the re-establishment of embarkation controls; a points-based system for work permits; and an annual immigration limit to include asylum seekers (Ibid). The Tories also insisted that a Conservative government would make all immigrants coming to the UK for more than a year withstand screening for HIV/AIDS, hepatitis and TB in order to protect public health (Bale 2010, 244). This hard stance went down well with the press and the public, with 97 per cent of *Sun* readers for example backing Howard's proposed curbs on migrants (Sun 2005).

Blair responded to Howard's calls for curbing immigration with 'customary skill', assuring Howard that 'I am not accusing you of being a racist... you are just a shameless opportunist' (Blair quoted in BBC 2005b). Blair's rebuttal in a speech in Dover (2005b) likewise served as a successful counter-attack on the Tories criticisms of Labour's policies, and Blair 'effectively shut down the Tory attack, because our position was

sophisticated enough – a sort of “confess and avoid”, as lawyers’ say – we won out’ (Blair 2010, 524). The polls immediately following this attack implied it was a line which resonated with the public, with only 36 per cent of respondents agreeing that Howard ‘genuinely believes immigration should be limited’, and 58 per cent believing Howard focused on the issue of immigration because ‘he desperately wants to win votes for his party’ (Bale 2010, 243).

While the Conservatives were evidently not successful in their campaign, it is clear that by 2005 the bipartisan consensus of defusing and depoliticising immigration had ended, and immigration was now very much an acceptable issue for the political battle. Having said this, the Conservative’s lack of electoral success at both the 2001 and 2005 elections perhaps indicates that although immigration was rising up the political agenda, it was not yet an election defining issue: ‘Labour won those elections in a big way, despite the Conservatives playing the migration card in both elections, it might’ve led them [the Labour Party] to think well it plays big but it’s not that big’ (Interview with Tim Finch, 2011). Nonetheless, the Conservatives’ attempt to politicize immigration did have an impact on the Labour Party, to the extent that Blair was purportedly worried that Labour would lose the 2001 election on asylum (Interview with Tim Finch, 2011; Interview with Will Somerville, 2011; Seldon et al. 2007). With the Conservatives taking an even tougher stance on immigration and asylum in the 2005 General Election, Labour was now preoccupied with how to handle the issue (Interview with former SpAd, 2012). Labour’s five year plan on immigration which revealed the proposal for PBS was therefore intentionally published a few months before the 2005 General Election in order to reassure the public on immigration and asylum. The Strategy Paper thus coincided with Labour’s electoral strategy for the 2005 Election: ‘We sought to neutralise these issues by dealing with them systematically through the five year plans and counterattacking the Tories’ (Gould 2007, 21).

It is fair to say that the opposition’s tougher position and rhetoric on immigration had some impact on Labour’s approach; that the five year strategy published months before the election contained proposals for tougher measures such as biometric ID cards and a reduction of protection granted to refugees (Home Office 2005), is no coincidence. As discussed in chapter three, Labour ran a series of focus groups during the 2005 campaign, led by strategists and polling advisors Philip Gould and Deborah Mattinson.

The polling found that anti-immigrant public sentiment was widespread, and as a result the government began ‘rowing back’ on immigration.

Conservative opposition on immigration was nonetheless weak between 1997 and 2005, when the policy reforms transpired, and attempts to take a harder stance on immigration and asylum, for the most part, backfired politically and electorally. All parties criticised Howard’s immigration plans. Even the leader of the far right UK Independence Party (UKIP), Roger Knapman, commented that Tory immigration policy was ‘so unworkable it was almost laughable’ (Knapman quoted in BBC 2005c). The problem for the Conservatives was the government’s tough line on asylum. Labour’s tougher position on immigration, if only in rhetoric, effectively hijacked the centre-right political space. By co-opting opposition proposals, ‘Blair pushed the Conservatives onto extremist grounds and forced them to present unfeasible proposals’ (Carvalho 2012, 161). This tough rhetoric from the government meant that a hard line was strategically questionable for the opposition:

The Party’s big lead on asylum and immigration did not, modernizers pointed out, translate into boosting its overall support because it was mostly preaching to the converted and to less educated, less well-off people who would, if they bothered to vote at all, nonetheless continue to vote Labour while it delivered the goods on welfare and the economy (Bale 2010, 171).

The Party were seeking to modernize and disassociate themselves from the “nasty party” image they had acquired previously with ‘Hagueite headline chasing’ (Ibid). Yet conversely Howard’s campaign only served to reinforce such impressions.

The lack of an electorally significant far-right party also allowed the Labour governments to pursue expansive immigration policies. Whilst much of the rest of Western Europe were seeing electorally successful far-right parties in the 2000s (such as in the Netherlands, Switzerland and France<sup>62</sup>), Britain’s lack of an electorally successful

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<sup>62</sup> In 1997, the National Front Party in France achieved its best electoral results on record (15.3 % in metropolitan France), in the 2002 France saw the first ever presidential run-off with a far right candidate (Le Pen of the National Front) winning 18% of the vote. In Austria, the far-right Freedom Party (FPÖ) came second in the 1999 General Election winning 27 per cent of the vote and gaining 52 seats in Parliament. In Belgium, far-right party Vlaams Blok (VB) gained 9.9 per cent of the vote in the parliamentary elections translating to 15 seats in the lower house. In Denmark, the Danish People’s Party (DPP) were the third largest party in the 2001 General Election, taking 12 per cent of the vote and 22 seats. In Italy, the far right party Northern League entered a right-wing coalition with Berlusconi’s governing party, giving three cabinet posts to the party. In the Netherlands, far right party Pim Fortuyn’s List (LPF) came second in the 2002 General Election, winning 26 seats. In Norway, far-right party

populist far-right party meant that a forceful anti-immigrant rhetoric was never legitimised, at least not on ethno-cultural lines. Where far right parties are electorally successful, centre parties of the left and right often co-opt proposals and reinforce a tough rhetoric on immigration (Schain 2008; Bale et al. 2010). While the BNP saw some relative success at the 2009 European election (gaining two MEPs) and local elections, this success was years after the policy changes had transpired and was, after all, in secondary elections. Neither UKIP nor the BNP managed to gain a seat in the House of Commons between 1997 and 2010. The politics of immigration look very different in countries where the far-right have gained electoral success, and the lack of credible far-right party during the Labour years meant that the immigration debate was perhaps less toxic than it may have otherwise been.

The ineffectual opposition from the established parties (principally the Conservative Party) coupled with an absent far-right party lent to a conducive political environment for passing expansive policies. Likewise, a consensual non-rebelling PLP meant that the core leadership faced limited constraints and could operate fairly autonomously. However, weak opposition from the established parties cannot explain *why* the Labour governments ratified these policies in the first instance. It rather explains *how* such radical reforms transpired without political contention.

## 5.8 Conclusion

The thesis set out to examine why the policy change occurred and which actors were steering the policy reforms. This chapter considered whether the ideology of the governing party, and the party political context in which these policies were made, could explain the policy shift. This chapter therefore examined whether policy change was a consequence of a change in administration and/or intra-party change within the governing party and assessed the constraints (or lack thereof) facing the government in implementing such policies. My research demonstrates that a change to a centre-left governing party was a necessary condition for policy change. If we consider the counterfactual possibility of the Conservative Party remaining in power in 1997, it is highly unlikely that the policy changes would have occurred. However, centre-left parties do not unequivocally favour expansive immigration policies; comparisons across

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Progress Party formed a rightwing coalition following the 2001 General Election, where the Party won 26 seats.



Western Europe<sup>63</sup>, as well as Labour's history (and current policy) on immigration demonstrate that this is not the case. Ideologically there is no fixed or given position on immigration for the centre-left. Nonetheless, being part of a centre-left party (in contrast to a centre-right party) does seem to shape political elites' preferences on immigration to some extent (Lahav 1997), and can therefore shape public policy. While a change to a centre-left government was a necessary condition for an expansive policy, it cannot be said to be a sufficient explanation.

The modernisation of the Labour Party proved to have a powerful effect on the preferences of leading political elites and is thus a significant explanatory factor for why policy developed in the way it did. Labour's rebranding and ideological reorientation through the Party's infamous 1990s policy review was, in part, for electability considerations. Nonetheless, Labour's ideological modernisation was reflected in most public policies, including immigration. A major component of the Party's modernisation was the acceptance and endorsement of globalisation. The rebranded Labour Party claimed that globalisation was both inevitable and an intrinsically positive thing, and with international migration being 'the human face of globalisation' (OECD 2009b), immigration was by extension likewise assumed to be inevitable and primarily positive. These ideas were embraced by the leading factions of the Labour Party, and took on an almost unquestioned logic by the early 2000s. In conjunction, Labour's third way framework meant an overhaul of economic policy, moving away from Keynesian demand management and instead adopting neo-liberal economic principles. A key tenet of this new business-friendly approach was to deploy counter-inflationary measures, and in turn ensure labour market flexibility. Immigration was seen as a tool to aid such flexibility (to be discussed further in chapter six). The Party also espoused an inclusive and cosmopolitan notion of British national identity, and multiculturalism was the preferred framework for integration policy. These principles were compatible with an expanding immigrant population. If the Party had retained their so-called "Old Labour" ideas of protectionism, it is likely that the status quo of restriction would have persisted. Labour's modernisation agenda, chiefly the Party's acceptance and endorsement of

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<sup>63</sup> In their systematic comparative analysis of immigrant rights over 10 countries, Koopmans et al (2012: 1229) likewise concluded that 'Government incumbency of the left or right is not systematically associated with lower or higher rates of immigrant rights'

globalisation, was one of the principal causes of the policy change because it changed the preferences of leading Labour ministers.

The leading faction of the Party faced limited constraints both internally from within the PLP and externally from opposition parties. Whilst there were divisions within the PLP over the reforms, these were not articulated until the final term of office, by which point the reforms had long passed and Labour had begun “rowing back” on immigration. This serves to reinforce the fact that the reforms were centrally steered and relatively covertly formulated in Whitehall.

A weak opposition from the Conservative Party also left the Labour government with a sufficient degree of autonomy. The Conservative Party were fairly passive in their opposition to the economic immigration policy reforms in the late 1990s and early 2000s. This can partly be attributed to the Party’s generally ‘futile period in opposition’ between 1997 and 2001 (Collings & Seldon 2001, 624). The focus of the political debate (and the media) was on the asylum crisis which dominated all Commons debates on immigration during this time. This being said, there was a lack of parliamentary debate for much of the economic immigration reforms in the first instance, as they did not require primary legislation. To the extent that the policy reforms were debated, the Conservatives were contrarily fairly supportive. The opposition took a tougher stance on immigration in the 2005 General Election, and the Party has continued to hold a restrictive position on immigration ever since. Yet when the policy reforms were underway, between 1997 and 2005, Conservative opposition was weak. If the Conservatives had been stronger in their opposition perhaps the changes would not have occurred so rapidly and with such ease.

A lack of an electorally significant populist far right party also partly explains why the policy reforms transpired without political contention. Far-right parties were becoming electorally successful across many Western European states at this time, and their gaining popularity had an impact on the immigration debate, and in turn policy, in these countries (see Koopmans et al. 2012). This void in the political space meant that the debate was perhaps less fuelled by populism and anti-immigrant sentiment than it otherwise might have been. However, weak opposition and a lack of populist far-right

party only partly explain *how* the policy change transpired; it does not provide an explanation for *why* the Labour government passed the policies.

An analysis of the ideology of the governing party goes some way to explaining the policy shift, and in this sense the “politics-matter” school of thought (Imbeau et al. 2001, 1) has resonance in explaining this case of policy change. However, given that the policy outcomes were discordant with the general public’s preferences (Ipsos Mori 2004; Saggat 2003), this was clearly not a policy made to win votes. It is rather the party ideology, as opposed to electoral strategies, which provides an explanation for the policy shift. The ideological re-foundation of the Labour Party proved to have a powerful effect on the preferences of certain leading Labour ministers. Immigration was no longer seen as a threat to national workers’ wages. Conversely, immigration was seen as part and parcel of this new globalised economy and a tool to aid labour market flexibility. These ideas permeated through the leading factions of the Labour Party and fundamentally changed their immigration policy preferences. That globalisation ‘was used ideologically as the *raison d’être* of New Labour’ (Cole 1998, 323) proved to be a critical factor for the policy change, albeit in an intangible way.

Fundamentally, Labour’s ideological overhaul was important because of the way in which the ideology was mediated in a convoluted way through institutional reform and departmental agendas, which will be explored in the next chapter. There was no conscious strategy to expand immigration, but the logic behind Labour’s economic policy, modernisation agenda and ideal of the competition state was manifested both in policymaking practices and in departmental agendas across Whitehall. Institutional agendas and cultures explain how the policy change transpired, but it was Labour’s ideological re-foundation which underpinned these agendas. As we shall see in the next chapter, it is here between the nexus of party ideology and its expressions in institutional agendas, that the overarching explanation for policy change lies.

## Chapter 6

# Bringing the state back in: institutional change and the administrative context

*'It's in our DNA to look at things in a certain way' (Interview with Senior Civil Servant, 2012)*

### 6.1 Introduction

The previous two chapters examined the role of organised interests and political parties in immigration policymaking, and considered whether they were the key actors steering the policy change. The purpose of this final empirical chapter is to examine the administrative context and the policymaking process itself. The new institutionalist approach claims that political institutions can be autonomous, and it is these apolitical institutions which form immigration policy according to the interests of the state. Through processes of normalization and socialization, certain ideas, objectives and policy framings become embedded in these institutions which serve as cognitive filters through which actors come to interpret their environment. Ideas and framings then become codified into institutional practice and 'take on a life of their own' (Berman 1998, 18) to the extent that they become resilient to change. However, through endogenous processes of institutional change, and/or exogenous political crises, the historical institutionalist claims that such framings can be dislodged and replaced by a new set of objectives, ideas and framings. The chapter adopts an institutionalist lens by examining departmental cultures, policy framings and institutional changes to policymaking practices, and assesses whether such institutional changes can explain the policy shift. The chapter takes a disaggregated view of the state and particularly focuses on how the ideas of the modernised Labour Party were filtered through departmental agendas and changes to policymaking practices.

The chapter is divided into four sections. Firstly, it describes the institutions and traditions which led to a stable and entrenched framing prior to 1997. Secondly, it describes the way in which Labour's third way ideology was exported and reflected in policymaking practices. The chapter then outlines how and why departments other than

the Home Office became integrated into the policy network, in turn reflecting on how Labour's reforms to policymaking practices influenced immigration policy change. Subsequently it addresses whether the initiative of evidence-based policymaking had an impact in the field of immigration, and whether such evidence proved to be instrumental in the policy shift.

## **6.2 Departmentalism and Home Office Culture**

Policy change is often said to be incremental, piecemeal and gradual. In turn radical shifts in policy objectives and framings, such as the one under study here, are exceptional (Howlett et al. 2009). The typically gradual process of policy change is in part borne out of the fact that policy framings tend to be entrenched and institutionalised in government departments. Consequently policy often remains constant and stagnant for long periods, often for no reason other than institutional inertia. In order to understand and explain policy change it is necessary to understand why policy remains static in the first instance.

The role of the 'British Political Tradition' and its tendency to direct government towards working within the existing status quo has long been noted as an explanation for policy stability in Britain (Blunkett & Richards 2011, 184). One such tradition is departmentalism, which involves a 'mix of political, policy and governmental pathologies' (Kavanagh & Richards 2001, 1), including a process where government departments have, over time, developed an organisational culture and a set of practices which are resistant to change. The culture of a department evolves from experience and acquired "wisdom", such as which interest groups to consult with and the best way to effectively negotiate with the Treasury (Ibid, 2). The history of the Whitehall model – with practices of ministerial accountability and performance and budgets being allocated according to departments – has meant that the civil service has evolved around the notion of rigid departmental boundaries and entrenched silo mentalities (Pollitt 2003, 42; Richards & Smith 2005, 3; Bogdanor 2005, 4). The long held practices of protecting budgets, and maintaining departmental 'turf' – where a department seeks to maintain or extend the range of responsibilities – have only exacerbated the isolation of departments, and in turn disaggregated governing (Page 2005, 142).

Administrative processes framed around departments have cultivated bureaucratic politics, where political agents, such as officials, ministers and civil servants, ‘see things differently from colleagues in other departments because their organizations have different objectives, ways of doing things, and because they have been socialized into thinking and acting in different ways’ (Ibid, 143). Therefore knowledge and the appropriate recourse to a policy issue are to some extent framed according to departmental thinking. Departmental knowledge and policy solutions become institutionalised and resilient to change. As one senior civil servant put it, ‘it’s in our DNA to look at things in a certain way’ (Interview with Civil Servant, 2012). A partial consequence of departmentalism is that policies tend to remain within a static framing.

It is the way in which policy framings are embedded which helps to explain how new actors, from different departments, integrated into a policy network which had hitherto been confined, can bring new ideas, a new policy framing and in turn prompt policy change.

#### **6.2.1 Home Office: ‘a culture of caution’**

Prior to the Labour administrations of 1997-2010 immigration policymaking was primarily dominated by the Home Office, which partly explains the relative consistency of immigration policy before Labour’s reforms (coupled with the post-war bipartisan consensus discussed in chapter three). While some administrative functions of immigration, such as the Work Permit scheme, were relegated to other departments, the politics and policymaking of immigration were monopolised by the Home Office. And like all other long-established Whitehall departments, the Home Office has acquired a certain culture, ‘the axiom round which has been the attempt to find a balance between maintaining civic peace, while, at the same time, ensuring the liberty of the individual’ (Richards & Smith 1997, 70).

What distinguishes the Home Office as exceptional in comparison to other government departments are the domestic and populist pressures it faces. It is, according to one former Home Secretary ‘a weird place. There is no sense or feel for the rhythm of politics, how the tide is flowing and the need to be ahead of things rather than trailing behind’ (Blunkett 2006, 429). Because the Home Office was the dominant (and for a

long time the only) social and domestic affairs department, it faces far more media and public scrutiny than other departments, and consequently ‘Home Office business is the staple for the populist press’ (Interview with former Senior Official, 2012). Indeed most politically salient cross-cutting “wicked issues”<sup>64</sup> fall within the Home Office remit, and these issues resonate strongly with the public. These policy areas are predominantly related to negative and socially destructive issues, such as counter-terrorism, crime and policing and drugs policy. These are all areas dominated by the need for control and enforcement. Immigration policy was (and arguably remains) thus framed within the Home Office as an enforcement issue, similar to crime. This ‘controlling’ culture goes beyond areas which require enforcement such as irregular immigration; rather it permeates the whole process of immigration policymaking (see Consterdine 2013).

On account of the “controlling” policy areas within the Home Office remit, the Department must be more reactive to media pressures, and the Home Office has thus developed a defensive and cautious culture which feeds into policymaking. As former Home Secretary James Callaghan said of Home Office issues, ‘a remote-controlled bomb is concealed in nearly every one’ (Callaghan 1983, 10). As a result, ‘the Home Office is politically driven, focused on short-term decision-making and tomorrow’s headlines’ (Interview with civil servant, 2012). In turn the job of Home Secretary and particularly Immigration Minister are deemed the most challenging in Whitehall. As a former Home Secretary said of being Immigration Minister ‘it is a rotten job, and you are lucky if you get in and out quickly enough not to have been scarred’ (Blunkett 2006, 712). With immigration being such a potentially salient issue, policymaking was, unsurprisingly, defensive and reactive leading to ‘a focus on immediate problems and control rather than any strategic developments’ (Interview with senior civil servant, 2012).

Prior to the immigration policy shift in the early 2000s, the Home Office had a long history of maintaining restrictive immigration policies and, ‘conceived itself as a rough, tough enforcement Department’ (Interview with Tim Finch, 2011). The common culture binding the Home Office was an emphasis on casework and a feeling of being ‘politically under suspicion’ (Interview with senior civil servant, 2012). A former

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<sup>64</sup> Wicked issues are those which have long cut across departmental boundaries.

communications director at the Refugee Council recalls an incident which encapsulates this culture:

We were trying to persuade what became UKBA to get involved in refugee week which was very, very difficult. In the process of turning a lot of people down for asylum, they actually granted asylum to quite a lot of people, and changed people's lives. But if you said to them "well that's part of your brief as much as enforcement", they looked at you as though you were a bit mad really. Because the whole ethos of the department was the "what we do is be horrible to people" (Interview with Tim Finch, 2011).

None of this is to imply that the Home Office had (or has) some ulterior political motive, rather the focus on enforcement, and a defensive response to external pressures had become the norm. One former Home Secretary went so far as to suggest that the UKBA frontline staff had a 'sense of fatalism. They just picked up the dirty stick at every single point' (Interview with Charles Clarke, 2012). The fundamental Home Office objective was to 'keep the immigration systems tight'. This fed down to the operational front-line staff and before 1997 this objective came to define all aspects of immigration policy (Interview with civil servant, 2012). Asylum continued to be couched in a control frame, as the quote from Finch suggests (Finch's time at the Refugee Council was between 2004 and 2008), and components of this culture certainly remain in place today<sup>65</sup>. In economic immigration under Labour however, this framing was somewhat renegotiated and reconstructed in the early 2000s.

### 6.3 The politics of New Labour: changing institutional settings

*All too often governments in the past have tried to slice problems up into separate packages – as if you could fix an estate by just painting the houses rather than tackling the lack of jobs or the level of crime....Joined up problems demand joined up solutions... government itself has to change if it is to be the solution rather than, as is sometimes the case, being part of the problem (Tony Blair 1997)*

*This government has given a clear commitment that we will be guided not by dogma but by an open-minded approach to understanding what works and why. This is central to our agenda for modernising government: using information*

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<sup>65</sup> An extreme form of this enforcement culture was recently blamed for the poor quality of caseworking in parts of the immigration system. In 2010 a former UKBA worker, Louise Perrett, went public with a claim that UKBA staff had tricked and humiliated asylum-seekers in their processing office in Cardiff (see Taylor and Muir 2010). Perrett claimed that UKBA case-owners held fiercely anti-immigration views and took pride in refusing asylum applications, leading chair of the Home Affairs select committee Keith Vaz to seek remedies for this 'culture of disbelief and discrimination' (Ibid; Consterdine 2013).



*and knowledge much more effectively and creatively at the heart of policy-making and policy delivery* (David Blunkett, Speech to the ESRC, 2000)

Upon electoral victory in 1997, the Labour government identified departmentalism as a fundamental barrier to effective policymaking. Frustrated by what Labour elites considered the indolence of the civil service, Blair was particularly keen to break with the past and reinvigorate the machinery of government: ‘The problem with them, as I indicated at the beginning, was inertia. They tended to surrender, whether to vested interests, to the status quo or to the safest way to manage things – which all meant: to do nothing’ (Blair 2010, 205). As a consequence, the government proposed a renovation of the machinery of government with the aim of coordinated policymaking, otherwise known as the joined-up government (JUG) strategy. In conjunction with the JUG agenda, in an attempt to depoliticise and rationalise policy (Burnham, 2001), the Labour government endeavoured to practise evidence-based policymaking. Both initiatives were very much symptomatic of Labour’s third way framework (see chapter five), in particular the Party’s sought out objective to modernise policy on a “what works” basis.

The JUG strategy, first articulated in the White Paper *Modernising Government* (1999a), derived from the assumption that policy could not be effectively delivered through the separate and isolated activities of individual organisations. Specifically, “wicked issues” – issues which had long cut across departmental boundaries with no sufficient solution – were seen to be lacking in effective policy (Mandleson 1996; Bogdanor 2005). One such area was, and remains, immigration. The mechanisms to deal with conflict between departments were also viewed as weak and ineffective (Clark 2002, 108; Ling 2002, 612).

The drive for holistic policymaking was due to: (a) the need to address policy issues which cut across departmental boundaries; (b) “spillover effects” where one part of government fails to take account of its impact on other parts of government; and (c) a problem of organisation and integration such as ‘how to align incentives, cultures, and structures of authority to fit critical tasks that cut across organisational boundaries’ (Moseley 2009, 2; Mulgan 2005, 175)<sup>66</sup>. The focal point of the JUG strategy was the

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<sup>66</sup> Joined-up government initiatives included, although were not limited to:  
1.) Move to make government more focused on outcomes and delivery;

concept of partnership, the aim being to co-ordinate consensual policy through multiple departments without removing departmental boundaries (Pollitt 2003; Clark 2002, 107).

The novelty, effectiveness and desirability of the JUG strategy has been disputed by both scholars and policymakers themselves. Whilst in theory JUG was an attempt to make policymaking more holistic, the programme involved costs, as the government conceded: 'Cross-cutting approaches are no panacea' (Cabinet Office 2000, para. 4.5). In general cross-government working poses greater risks of failure in delivery due to unclear lines of accountability, greater risk of communication failures, and difficulties in evaluating policies because of cross-government ownership (Pollitt 2003). Consequently, the gap between policy design on the one hand, and policy implementation and delivery on the other, runs the risk of being wider with JUG.

Also part of Labour's efforts to modernise policymaking was a drive for evidence-based policy. Evidence based policymaking derived from Labour's interpretation of modernity; structured around efficiency, knowledge management and technological and scientific progressivism (Finlayson 2003, 67). The initiative was an attempt to change policymaking so that policy was depoliticised, 'forward looking' and 'shaped by the evidence rather than short-term pressures' (Burnham 2001):

...policy decisions should be based on sound evidence. The raw ingredient of evidence is information. Good quality policy making depends on high quality information, derived from a variety of sources - expert knowledge; existing domestic and international research; existing statistics; stakeholder consultation; evaluation of previous policies (Cabinet Office 1999a, 31).

Labour sought out a process of policymaking where evidence would be an integral component, and policy would be based on "what works". Promoted in numerous Cabinet papers (Cabinet Office 1999a; Cabinet Office 1999b; Cabinet Office 2001; National Audit Office, 2001) the ambition to integrate evidence and, in turn, knowledge

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- 2.) The creation of new policy units, such as the Social Exclusion Unit to analyse problems free from departmental agendas, which included regular cross-cutting reviews;
  - 3.) The influx of joined-up delivery units such as the Neighbourhood Renewal Unit, and the Regional Coordination Unit;
  - 4.) The appointment of ministers with cross-cutting portfolios;
  - 5.) The fortification of local structures, such as Local Strategic Partnerships;
  - 6.) The integration of services in an attempt to make one-stop shops;
  - 7.) Construction of new departments/units to align policies;
  - 8.) Collaborative work with non-governmental actors, such as increasing secondments.

into the policy wheel was a clear objective of the Labour governments, especially in Labour's first term of office<sup>67</sup>. In practice evidence based policymaking constituted expanded research budgets across Whitehall, an emphasis on evaluation as a widely accepted part of policymaking, as well as input from outside experts through secondments (Wells 2007, 27).

Yet much like the JUG strategy, in practice evidence based policymaking was problematic. In addition to wider debates about what constitutes evidence in the first instance, 'the dynamics of policymaking are deeply affected by institutional, professional and cultural factors' (Head 2010, 80), thus the notion that evidence can be simply and objectively introduced into the policy wheel is ambiguous. Other limitations of evidence based policymaking include: how to translate findings into policy; a tendency among political elites to use evidence to legitimise positions, thus discrediting objectivity; and a lack of information needed to gather evidence or in other words 'the more we discover about social issues the more we are likely to become aware of the gaps in our knowledge' (Head 2010, 80).

It should be noted that the JUG model and evidence based policymaking were not designed to pluralise power in Whitehall. On the contrary, Blair's objective with the JUG strategy was to establish a clear and co-ordinated agenda accountable to the core executive, something he readily admitted: 'One thing I do say though very strongly is that I make no apology for having a strong centre' (Liaison Committee 2001/2002, para. 5; Richards & Smith 2007, 331). For example, the creation of units such as the Performance and Innovation Unit (PIU) and expanding the size of the Policy Unit, whilst products of both the evidence-based policy and JUG agendas, were intended to allow more central steering and were thus directly accountable to the Prime Minister's Office.

While the success of both the JUG initiative and evidence based policy model are contestable, my research demonstrates that these changes to policymaking practices influenced economic immigration policy. These reforms to the machinery of

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<sup>67</sup> The rhetoric and it seems practice of joined-up government starting to waver in Labour's second term and had been abandoned altogether by Labour's final term of office. See <http://www.theguardian.com/society/2006/feb/26/publicservices.politics> for discussion.

government help provide an explanation for not so much *why*, but *how* the policy shifted.

#### **6.4 From control thinking to economic thinking: immigration policy and joined-up government**

Rather than a central government strategy for an expansive immigration programme, policy change was a result of a series of policy reforms which stemmed from departments other than the Home Office. Each policy scheme or reform had its own drivers, couched in the departmental culture and framing in which it originated, which were deemed politically non-contentious and unproblematic at the time. Combined, these policy schemes had a liberalising effect on immigration policy. Thus the overarching policy change was a consequence of a series of policies which were made almost as an unintentional by-product of other broader policy agendas (Wright 2010). Managed migration was a label devised to provide a cohesive narrative to policy changes which were already under way. By 2004 expansive immigration as an economic good had taken on its own unquestioned logic. Thus the policy change was not so much steered as it was piecemeal and unintentional.

Given that ‘immigration was a classic example of a topic which needed some joining up. It clearly cut across so many different departments – and there was an obvious risk of contradictory decisions’, there was a perceived need for JUG in this area (Interview with former head of Strategy Unit, 2012). As a result, the policy network, in terms of state actors, expanded under the Labour administrations. The inclusion of new departments into a previously confined policy network (as well non-governmental actors seconded in), broke the Home Office monopoly on immigration policymaking and brought different targets, objectives and a new framing to the policy area. With strong economic conditions, and an especially powerful Chancellor, the Treasury who had previously argued for the case of expanding migration routes, had found a governing party sympathetic to their arguments. The Treasury’s early liberalising schemes combined with involvement from other business-orientated departments, imported economic thinking and a rationalistic framing to immigration for the first time, thus transforming the norms of immigration policy in the Home Office from a control focus to an economic policy objective.

#### **6.4.1 The Treasury**

Outside the Home Office, the most influential department involved in economic immigration policy was the Treasury which, under the Labour administrations had a strong influence on the DWP and the DTI, and as a Department ‘was extraordinarily confident. This was Brown’s Treasury and people used to refer to him as PM domestic’ (Interview with former senior civil servant, 2012). The complex partnership between Tony Blair and Gordon Brown is well known. Brown secured an active role in domestic policy in return for not challenging Blair’s bid for party leadership in 1994, otherwise known as the ‘Blair-Brown deal’. In return Blair had to gratify and accommodate Brown, and Brown therefore had a great deal of autonomy outside the typical remit of a chancellor (Heffernan 2006, 594). The Treasury under Brown’s leadership has thus been described as ‘a great crag standing in the way of a thoroughly monocratic government’ (Hennessy 2002, 21). While the relationship between chancellors and prime ministers has always been consequential, ‘the Blair-Brown partnership [was] far more significant than any such previous relationship...Brown held a special position that coloured the structure and operation of the Blair governments’ (Burch & Holliday 2004, 19).

Besides the chancellor’s formal power of managing the public purse, Brown amended the Treasury’s role in Whitehall management to further consolidate his power, including establishing Public Service Agreements (PSAs) and performance targets, which allowed Brown to have direct control over not only how much, but also what departments could spend their budgets on (Fawcett & Rhodes 2007, 95). With the unique partnership of Blair and Brown, Labour’s first two terms were characterised by a strengthening of the core executive, and an especially powerful Treasury. As discussed in chapter five, crucial to the Labour Party’s economic policy was labour market flexibility. Increasing the supply by expanding immigration flows as a remedy for such flexibility was pursued through the Treasury’s agenda.

The Treasury were the innovators for this new approach, arguably creating a specific sub-policy of economic immigration. As one interviewee put it, ‘the thinking about what the strategy should be was coming from BIS and the Treasury, and the immigration department was just playing catch up if you like’ (Interview with Senior Civil Servant, 2012). The Treasury is especially powerful because it is ‘the department

that raises questions about what is in the taxpayer's interest...The Treasury has to ensure that the enthusiasms of other departments for their various policies are optimised and balanced' (Chapman 2002, 164). The power the Treasury exercises is achieved through 'persuasion and influence' (Ibid 160) and officials in other departments are said to have a 'wary respect for Treasury staff' (Ibid). Indeed, interviewees claimed that the overall shift was due to the 'Treasury pushing the Home Office to do more and more' (Interview with Senior Civil Servant, 2012).

It was the Treasury which first set up cross-departmental groups to develop the managed migration narrative in 2003 (Interview with Senior Civil Servant, 2012), and it was the Treasury which established the Innovators Scheme in 2000 and the HSMP in 2001, years before the Home Office introduced the concept of 'managed migration' (Home Office 2002a). These schemes were driven by a supply-side logic, encouraging high-skilled immigration to fill skill shortages as part of a broader economic growth strategy, as outlined in the Treasury's 2000 budget:

Failing to fill [job] vacancies with skilled workers will retard productivity and growth and mean fewer employment opportunities in the longer term, access to skilled people from overseas is part of the answer. Equally important is to enhance the UK's image as an attractive location for talented overseas students and entrepreneurs (HM Treasury 2000a, 2.76-3.77)

The impetus for the schemes derived from the Treasury's productivity and growth agenda which, following analysis on Britain's 'productivity gap', concluded that 'to increase productivity growth, the UK has to increase its investment in all three areas of physical capital, human capital and technological progress' (HM Treasury 2000b, 39). The Treasury therefore prioritised increasing investment in physical and human capital, strengthening competition and encouraging entrepreneurs and entrepreneurship (HM Treasury 2000b, 40). Consequently, the Treasury's 2001-2004 spending review – and therefore the joint PSA target between the Treasury and the Home Office – outlined the principal objectives of immigration policy to be 'in the interests of social stability and economic growth' (HM Treasury 2000c). Further PSA targets likewise alluded to economic growth being an objective of immigration policy, albeit vaguely stated, such as PSA Five under the 2004 Home Office spending review, where the objective to be met (aside from tackling unfounded asylum claims) was to 'promote controlled legal migration' (Cabinet Office 2006, 9). Whilst the phrasing was amended, the 2007 PSA

departmental strategic objective was likewise to ‘strengthen our borders, fast track asylum decisions, ensure and enforce compliance with our immigration laws and *boost Britain’s economy*<sup>68</sup>’ (Home Office 2007).

Many of the early policy changes from the Treasury were not policy as such, with the only public announcement of schemes (such as the HSMP) in pre-budget reports. For example, liberalising policies – such as widening the definition of “skilled” to allow students to work in the UK post-study – were part of a small section entitled ‘tackling skills shortages’ in a pre-budget report (HM Treasury 2000c). Conscious of the politics of immigration and typical of the Treasury’s ‘semi-independent relationship with parliament’ (Heffernan 2006, 591), some interviewees suggested that the Treasury were deliberately restrained in publicising the reforms:

Gordon’s personal view was we should get all this stuff through without it getting a great deal of political attention, so he intentionally asked us to influence the Home Office in a low key way.... So they managed to more than double work permits without anyone really noticing they did it. They didn’t want a big critical media story, so it was all published in a very low key way in the small print of the Budget and PBR - it was all visible, but they just didn’t want it anywhere near Blair and all those top-level people, they just wanted it happening (Interview with former civil servant, 2012).

It was a strategy but apart from Roche’s speech it wasn’t a well-publicised strategy and in terms of immigration, it was happening in a corner of immigration (Interview with senior Home Office civil servant, 2012).

The Treasury were particularly interested in the effect of immigration on public finances, increasing its tax base, and most importantly the positive impact on GDP. Essentially, for the Treasury ‘the more national insurance numbers the better’ (Interview with David Goodhart, 2012). The Treasury cited the economic benefits of immigration earlier than the general political rhetoric of managed migration, claiming in 2002 that economic growth had been boosted by a quarter of a point because of immigration (Schiffers 2002). A former Treasury civil servant explains the Treasury’s sudden interest in immigration:

The Treasury view was that it made sense that there were a significant numbers of people around the world whose skills were so strong that they felt that we self-evidently wanted them in our country and therefore they should be free to enter our country to seek work. And so the Treasury worked with the Home

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<sup>68</sup> Italics added

Office to...well initially persuade them to have a programme like this and then ultimately to implement that (Interview with former civil servant, 2012).

Many interviewees commented that there was ‘a bias [in the Treasury] which were in favour of open labour markets’ and that ‘most of the economists had a strong prior belief in what the answer should be’ (Interview with former Director of Strategy Unit, 2012). While the Treasury had argued the case for expanding economic migration routes under preceding governments, under the Labour government ‘it found a set of ministers in the late 1990s and early 2000s who were sympathetic to this’ (Interview with Pearce, 2014). Some interviewees suggested that expansive immigration policies were crucial to the Treasury’s economic model, although this was never confirmed:

The Treasury’s economic models explicitly depended on migration holding down wages. If you look at the Treasury economic models especially from mid 2000s onwards and possibly before, there was an assumption that migration would reduce wage levels and help improve growth. So there was this strand for New Labour you could say, of deliberately using migration to depress wages. I am told that the Treasury model explicitly assumed this (Interview with John Denham, 2012).

There was speculation among some interviewees that the Treasury’s motivation for expanding economic immigration derived from the inference that labour flexibility lowers inflation rates. The only indication that this was an explicit motivation was in one Treasury report, which concluded that migrants, in meeting skill and labour shortages, can ‘ease inflationary pressures’ (HM Treasury 2004, 4.60). While lowering inflation was not categorically expressed as a principal driver for expanding immigration, given the importance Labour placed on achieving counter-inflationary credibility, there may have been an implicit assumption that increasing the supply of the labour force could ease inflation. This may have figured as a secondary motivation then. As a MAC member speculated in an interview ‘[lowering inflation] may have been part of the rhetoric or discourse of increases in GDP lowers inflation. But I don’t think the Bank of England went down to Downing Street and said we need to do this because it lowers inflation’ (Interview with MAC, 2011).

The Treasury’s legitimisation of expansive immigration policies was that immigration boosted economic growth by one and a half percent (Blair 2004). This was derived from the Treasury’s estimations of 2.5 percent trend growth in the economy, of which 2.0 percent came from productivity increases and 0.6 percent from increases in the



population of working age (HM Treasury 2002). Further figures produced by the Treasury which were trailed by ministers (Smith 2007; Byrne 2008b) concluded that immigration has a positive impact on the economy worth approximately £6 billion; this figure was based on Treasury calculations that immigration contributed 15-20 per cent to output growth during the period 2001-2006. Further research on the fiscal impact of immigration conducted by the Home Office and the PIU concluded that migration generates a 'net benefit of 2.5 billion to the economy, over and above what they consume' (Gott & Johnston 2002). This latter figure was parroted in numerous speeches, press releases and parliamentary debates (Blunkett 2002b; Hughes Hansard 28 October 2002 vol 391). However, the Treasury's much quoted figure (and indeed the Home Office figure on fiscal impact) was not based on an especially high-level analysis:

That treasury calculation is very simple, it's not based on any econometrics, it's based on looking at that migrant share as a population. You could do it on the back of an envelope, it wasn't based on anything sophisticated at all and I don't think anything else sophisticated was going on in government elsewhere (Interview with civil servant, 2012).

By Labour's third term, the figure and methodology of measuring the economic impact of immigration was a contested issue, leading to a House of Lords inquiry in 2008. The inquiry concluded that there is,

No evidence for the argument, made by the Government, business and many others, that net immigration – immigration minus emigration – generates significant economic benefits for the existing UK population. Overall GDP, which the Government has persistently emphasised, is an irrelevant and misleading criterion for assessing the economic impacts of immigration on the UK' (House of Lords 2008, 1).

As a result, the government, including its MAC economists, now measure the economic impact of immigration by GDP per head, rather than overall GDP.

While the Treasury played a central role in the policy shift, the Treasury's interest and resources into the issue should not be overstated. The Treasury did not invest substantially into research on the economics of immigration and actual work on immigration took up only half a person's job (Interview with civil servant, 2012). The Treasury's authoritative voice on the economics of immigration was more a result of inertia from other departments, especially the Home Office: 'it's not that the Treasury were doing loads of work on it but the most quoted statistic originated from the

Treasury and probably no one in government was doing serious thinking about it at that time' (Interview with civil servant, 2012). The Treasury was important in pushing for policy reforms, yet expanding immigration was not a critical issue to the Department, or one worth investing too many resources into. However, because of the lack of direction or lead from the Home Office, the Treasury's role was behind the scenes but nonetheless imperative and the impetus for policy change:

Other than saying things in the budget and the PBR, the Treasury never made a public announcement in any other context, it wasn't their job to front the policy, it was the Home Office's job, which is part of the reason the Treasury and Home Office were a team. There isn't a stakeholder management function in the Treasury, that's what makes the Treasury an unusual place to work, it goes round telling ministries what to do and they have to do it, but you don't have to do it yourself (Interview with former civil servant, 2012).

As a result of the Treasury's involvement, the Home Office brought economists into their policymaking teams for the first time, which was apparently 'a bit of a shock to the system. No one there had really been doing that kind of strategic work before' (Interview with Senior Civil Servant, 2012). The powerful influence of the Treasury pushed economic immigration in an expansive direction and, 'because of the relationship with the City of London, they [Treasury] were strongly influenced by the London view of the British economy, which was that inflows both on the high end and the low end had to be critical to growth' (Interview with former Director of Strategy Unit, 2012). The Treasury's early involvement and powerful position effectively led to an economically rationalistic framing on immigration being imported into the Home Office for the first time. The norms of a control policy frame began to shift to an economic frame, and a policy based on economic utilitarian arguments.

#### **6.4.2 Business-orientated departments**

While the Treasury provided the impetus for policy change, other business-orientated departments were also more involved in immigration policy under Labour, including the Department for Education and Employment (DfEE) and the Department for Trade and Industry (DTI). The extension of 'turf' to these departments was in part a consequence of the pursuit of JUG. The channelling of JUG was also reflected in the significant increase in cabinet sub-committees, interdepartmental taskforces (especially in the design of the PBS), and the abovementioned cross-cutting PSA targets (HM Government 2009; Spencer 2011, 19). While the JUG strategy was not wholly

successful, the Home Office monopoly on immigration was clearly fractured, and immigration was consequently no longer framed entirely around control and restriction.

It was in fact the DTI which first suggested liberalising economic immigration policies back in 1998, as part of a wider economic growth strategy, in an effort to move away from ‘the interventionist policies of the past’, and ‘instead make markets work better through collaboration between companies as well as competition’ (Mandelson 2010, 265), as outlined in their 1998 White Paper:

It is important to attract bright people with scarce skills to work for UK businesses and to set up businesses of their own which create jobs. The Government is already taking action to ensure that the process of obtaining work permits is as smooth and simple as possible. Government will examine whether there is scope for lowering barriers that prevent entrepreneurs or skilled professionals from coming into or remaining in the UK (DTI 1998, 3.24).

In conjunction with the Treasury, the DTI’s objective was to plug skills shortages by attracting high-skilled immigrants, and to fulfil this objective the DTI claimed that ‘this requires a positive attitude to immigration’ (Ibid). The genesis of this shift in policy framing can thus be seen as far back as 1998, yet the objective stemmed from a department with no management of or previous remit on immigration.

That certain elements of immigration policy were delegated to other departments is significant in this narrative of policy change. The work permit system had previously been based in DfEE before 2001, and changes to the work permit system can be seen as a result of these functions being placed in a business-friendly department. For example, the CBI held a conference on overseas labour (as economic immigration was then referred to) in the late 1990s where Margaret Hodge (then junior employment minister) made a presentation effectively asking what employers wanted regarding overseas labour and reducing red tape (Interview with Sarah Spencer, 2011). In contrast to the Home Office which had never comprehensively conducted stakeholder engagement, in terms of immigration policy at least, DfEE organisational culture was very different because stakeholder management was common practice. One interviewee commented that in comparison to the Home Office, the DfEE was ‘nice and fluffy’ in this respect (Interview with civil servant, 2012). Margaret Hodge described the Department in an interview:

I think we were [DfEE] very open in our policymaking. So you'd always talk to your stakeholders. Policymaking was a collaborative effort with your stakeholders, always. I think we were a department that was open to change. You're always trying to raise standards, you're always trying to get better, so you're open to innovation. We brought people in from outside much better than other departments. The civil service is a pretty closed institution, but our stakeholders are out there and they are a particularly articulate lot.

Other interviewees commented that the DfEE was more 'progressive' than the Home Office in that there tended to be multi-disciplinary teams (including researchers, economists and operational managers) working in collaboration. Another former civil servant commented that DfEE staff saw 'their mission in life to find good people and let them come into our country, whereas the Home Office saw their mission as to stop letting the bad people into our country. They had a very different way of thinking about their job' (Interview with former civil servant, 2012). The easing of work permits criteria, and the rapid and uncontested way in which this was conducted in the late 1990s is a reflection of such functions being placed in DfEE.

Aside from the work permit scheme (until 2001), the DfEE also owned the 'Prime Minister's Initiative on International Education' (PMI1 and PMI2) although this was a personal pledge made by Prime Minister Blair. The PMI aimed (and succeeded) to double the number of international students coming to study in Britain. The drive to recruit international students was hardly seen as part of immigration policy, and in contrast to recent debates about student migration, international students were seen as an entirely positive migration stream. Employment minister at the time Margaret Hodge commented that the push to recruit international students and build links with foreign universities came from 'Tony Blair, but it also came from the universities themselves, it was encouraged by all of us, encouraged by Gordon Brown. I don't think it was a contentious issue'. Moreover, asked whether international students were seen as part of the managed migration strategy Hodge responded 'it was just seen as extra money for universities' (Interview with Margaret Hodge, 2012). Similarly, in response to the same question former Secretary of State for Innovation, Universities and Skills John Denham replied:

No, not at all, not in the way they are now. They [international students] were seen as an almost wholly beneficial economic good to the country and the university system, at a time when public funding for higher education was going to stop growing.... I mean the fact is when we extended the right to work [to

international students], there was no questions raised about that in the Home Office at all.

The PMI1 scheme began in 1999, years before the managed migration strategy was outlined. Much like the Treasury's early schemes, the PMI initiative was not a policy driven by a desire to liberalise immigration as such, but was rather seen as a non-contentious way to generate money for universities. The initiative, which led to student immigration being the largest immigration stream to Britain, was a by-product of the higher education policy agenda. The impact of migration on skills level was also a consistent interest for DfEE, as former Home Secretary Charles Clarke commented 'Skills is at the core of the whole debate...the interrelationship between the skills agenda in education and the migration agenda is very substantial' (Interview with Charles Clarke, 2012).

#### **6.4.3 Foreign & Commonwealth Office**

Another important department in this narrative of policy change was the Foreign and Commonwealth Office (FCO). Migration policy has long been an issue of contention between the Home Office and the FCO, especially the debate on overall numbers. Indeed this debate stems back to the 1970s: 'there is a longstanding and somewhat futile disagreement between the Home Office and the FCO on whether there exists a "finite" pool of potential immigrants waiting to come in or an "infinite" ocean that will never be exhausted'<sup>69</sup>. Ownership of migration functions in particular has been a persistent cause of friction between the departments<sup>70</sup>. Over time the FCO has lost, somewhat willingly, much of its remit on immigration. Visa processing for example has been consolidated in the Home Office and the FCO's remit for migration policy is now limited to the operational role of overseas embassies.

The FCO therefore had a minor and traditional agenda under Labour to keep the status quo of using migration as a 'lever in international relations' for negotiations (Interview with FCO civil servant, 2012). The Department purportedly has an 'insular culture' however, which tends to 'struggle with the cross-Whitehall aspect' and is 'insufficiently

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<sup>69</sup> TNA FCO 50/585 Meeting on Immigration between FCO and Home Office Ministers; Memo to Secretary of State from Mr Luard, 24 May 1976.

<sup>70</sup> TNA FCO 50//532 Immigration policy review of FCO functions; Letter to Mr Hawley from H.E. Rigney, Inspection report on migration and visa departments, August 1975

politically aware' in the sense that the department fails to 'be thinking about wider government objectives' (Interview with civil servant, 2012).

While the FCO gradually lost its authority on immigration policy, conversely the most controversial and expansive immigration policy was co-led by the FCO; the A8 decision in 2004. While the Home Office had departmental responsibility for the decision, and it was legitimised by the Home Secretary with reference to the managed migration agenda, this decision was, at the very least partly, driven by foreign policy considerations (Interview with Senior Civil Servant, 2012; Interview with Matt Cavanagh, 2012; Interview with Ed Owens, 2011; Interview with Dennis MacSchane, 2012; Interview with former official, 2012).

It was Foreign Secretary Jack Straw who announced the A8 decision in December 2002 and it was Straw and Blunkett who predominantly led the decision, with Blair 'involved at the last minute when it became heated' (Interview with Blunkett, 2012). A number of interviewees commented that the decision was 'rather rushed' because Blair wanted to announce it at the Copenhagen Council in December 2002 (Interview with former SpAd, 2011). Therefore 'it was one of those things where a quick letter goes round Whitehall and it's sort of "is there any objections?", that's how it worked' (Interview with former SpAd, 2011). As discussed in chapter five, the interest in Central and Eastern Europe (CEE) accession was principally due to trading ties and a foreign policy interest in forging alliances with CEE states at the EU level. Labour MP Keith Vaz explicitly divulged this strategy in a debate, claiming that to modernise Europe 'we need not only to harness the enthusiasm of the new members but to earn their votes around the summit table' (Hansard, 2 March 2004, cols 870). CEE states were thus regarded as allies of British interests, as one FCO civil servant deliberated:

The Slovaks and the Poles were useful and saw things in the same way as Britain. For instance our approach to the EU is to think what is it that the EU does that helps us to take forward British objectives, so it's not integration for its own sake, and that's where the Poles and Slovak saw it at the time (Interview with civil servant, 2012).

As Home Secretary David Blunkett put it 'because of our [Britain's] links with Poland, the Polish diaspora in Britain offer quite a good counterweight to the German/French axis without making it aggressive' (Interview with Blunkett, 2012). Labour's Europhile

approach discussed in chapter five is also relevant to the decision. A number of interviewees including former European Minister Denis MacShane maintained that a more Eurosceptic Labour Party would have likely made a different decision (Interview with Dennis MacShane, 2012). In turn the Commission was particularly pleased with the government's decision to embrace enlargement and free movement (Interview with FCO civil servant, 2012) because 'diplomatically the fact that Britain was prepared to do this, to show solidarity with CEE, was seen as a real value' (Interview with former SpAd, 2011).

In contrast to geopolitical motivations, former Home Secretary David Blunkett claims the decision was made in order to reduce irregular immigration. In other words to regularise A8 migrants who were already working in the UK illegally<sup>71</sup>:

The decision was are we going to have illegal working and no payment of national insurance tax or are we going to try and make this legal, and getting people to register? Make it worthwhile people registering because you build up entitlements very quickly, and therefore you were going to be entitled to the health service and benefits and all the rest of it (Interview with Blunkett, 2012).

According to Blunkett the liberalising effect of the A8 decision was, conversely, part of the control agenda. This was premised on the 'Blunkett equation' outlined in chapter four, that more "good" immigration equals less "bad" immigration (Balch 2010, 131). Blunkett claims that Foreign Secretary Jack Straw was initially a 'great enthusiast for the expansion and openness of Europe' but following Howard's attacks on the decision (discussed in chapter five) 'with the political heat turned up he changed his mind' (Blunkett 2006, 593). Having said this, a former official concedes that the Home Office were relatively uninvolved in this decision but that regularising was an attractive advantage:

It was Straw driving that policy and not the Home Office. The Home Office were caught out by it really....we couldn't easily track down border ports so if you like that bit of legitimising people and therefore being able to concentrate on a narrower front on illegal immigration was quite attractive (Interview with former Official, 2012).

The 'Blunkett equation' was similarly alluded to by Jack Straw, submitting that the decision would allow the government 'to focus resources on the real immigration problems' (FCO 2002). However, all interviewees commented that the decision would

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<sup>71</sup> Of those A8 migrants who registered on the WRS, Blunkett claimed that 40 per cent were estimated to have been living in the UK illegally pre 2004 (Interview with David Blunkett, 2012).

not have been made if they knew the numbers involved. In other words this was certainly not a planned large-scale immigration:

It was done on the expectation that the numbers wouldn't be great. It definitely wasn't a policy to actively go after Eastern European migrants. I mean the objective was not to draw on lots of Eastern European labour at all; it was simply that there didn't appear to be any reasons for controlling access to our labour market because we didn't expect the numbers. There didn't appear to be any big problems with it. There were Home Office officials responsible for dealing with those here on an irregular basis and deportation. Their view was if people can travel to the UK they can come here without needing visas, therefore it is incredibly difficult to police their access to the labour market and if you can't remove them there's no point. It's far better for them to come here to work. So paradoxically the people in the Home Office who were responsible for immigration control were in favour of it because it allowed them to concentrate on the cases they cared most about which was failed asylum seekers (Interview with Pearce, 2014).

While predictions suggested that A8 flows would be approximately 5,000-13,000 per year (Dustmann et al. 2005; Bauer & Zimmerman 1999), the decision turned out to be over twenty times the upper end of this estimate and between May 2004 and September 2005 293,000 A8 migrants entered Britain (Gilpin et al. 2006, 13; OECD 2009a). However, the prediction was based on the assumption that other member states would also open their labour markets to A8 nationals; in particular it was assumed that Germany would not place transitional controls (Interview with civil servant, 2012). Whilst Britain confirmed the decision in late 2002 (although some interviewees alluded to the decision having been effectively made when Blair entered office in 1997), most other Member States did not make the decision to impose transitional controls until early 2004. According to Blunkett (2006, 599) such decisions were taken in France and Germany because 'virtually every middle-class family had someone working for them who was a clandestine, so it was better to pretend that they were stopping people from working while they carried on employing them'.

Interviewees varied in their responses as to the primary reasons for the A8 decision and given that the foreign policymaking process remains the most secretive in government (Williams 2004, 911), it is difficult to definitively conclude the principal motivation. Although the rhetoric of managed migration had begun by 2004 and labour market shortages no doubt played a role in this decision, it seems this was a policy informed by Britain's broader foreign policy agenda, in order to 'get more pull with the Poles within



Eastern Europe. It was a bid for diplomacy!’ (Interview with John Denham, 2012). With no capacity to deport A8 migrants if transitional controls had been placed, the Home Office view was that there was ‘no point’ in doing so and that it would be ‘far better for them to come here to work’ (Interview with Pearce, 2014). The labour market and economic conditions were right, alleviating irregular immigration by regularising Eastern Europeans was certainly an advantage, and the geopolitical gains were abundant. In this sense the decision was a triple win for the government:

There was a belief by key decision makers that free movement was a fundamental part of the European project. Let’s not forget the politics of this, Britain was a key advocate of EU expansion, it had key friendships in Poland and the Czech Republic which it wanted to maintain, and it wanted to be seen as living up to the spirit of EU enlargement, so it wasn’t a crude what does the labour market need right now (Interview with Danny Sriskandarajah, 2012)

Thus one of the largest immigration flows in Britain was not altogether an immigration policy; the decision was driven by a myriad of reasons which were beneficial for both the Home Office and the FCO agendas. This was in part a foreign policy with unexpected ramifications for immigration policy, akin to the 1948 British Nationality Act (Hansen 2000). Much like the PMI scheme and the Treasury’s early schemes, the decision was not considered an immigration policy per se; rather it was another by-product policy which had a liberalising effect on immigration.

#### **6.4.4 Communities & Health**

The hiving off of immigration functions from the Home Office also created closer collaboration, such as integration and community cohesion policy being transferred from the Home Office to the newly established Department for Communities and Local Government (DCLG) in 2006. The DCLG had had some influence on immigration policy, such as devising the WRS and chairing the MIF. However, in practice the links between national policy and local policy impacts was not especially strong. Often involvement between the Home Office and the DCLG on immigration was, ‘on a more issue by issue basis’ (Interview with senior civil servant, 2012). In comparison to current immigration policymaking practices ‘before 2004 the localised impact of immigration weren’t felt as much so DCLG weren’t players in quite the same way’ (Interview with Nick Pearce, 2014). As discussed in chapter five, the Labour government’s failure to accommodate or plan for the local impacts of concentrated immigration in specific areas has been one of the major criticisms of Labour’s

immigration policy. It could be speculated that this was caused by the poor communication or lack of strategic partnership between the Home Office and the DCLG.

The Department of Health continued to have a vested interest in foreign labour, especially to fill skill shortages in the National Health Service (NHS). Following various enquiries by the United Nations (2001), research was commissioned into whether immigration could be used to remedy Britain's "demographic time-bomb", and there was a general debate, both within the government and across the EU on whether this was a plausible solution (Home Office 2001a; Government Actuary Department 2002; HM Treasury 2003, 3.103). However, there is no evidence that the Department of Health were involved in these enquiries, and various bodies concluded that immigration 'is not a long term solution to the 'problem' of population ageing' (Shaw 2001; OECD 2001; Council of Europe 2000). Expanding immigration policies was not then a consequence of a concern over a 'demographic time bomb'.

#### **6.4.5 Departmental tensions**

Whilst government departments became involved in shaping and devising immigration policy, the relationships between departments were not necessarily harmonious, as many civil servants commented 'there were big tensions between the Home Office and the economic departments, precisely because the Home Office was being looked to, perhaps unrealistically, to provide control and protection' whilst concordantly pursuing an economically liberal policy (Interview with senior civil servant, 2012). The Home Office had developed a reputation from the business departments as being 'economically illiterate and only concerned about clamping down on things' (Interview with former official, 2012). Moreover, policy coordination or communication between departments and within departments was not always coherent. For example, a MAC member observed:

It turns out there's a migration unit within UKBA, there's a migration unit within the Home Office and it's not clear that they're always talking to each other ...somebody in the Home Office came up with estimates about cuts to student numbers and the effect on GDP and that originated in the Home Office but the UKBA had no idea that was going on (Interview with MAC, 2011)

Similarly IND frontline staffs were not necessarily sympathetic to the new policy reforms and the tension between national policies on the one hand, and the realities of policy implementation on the other, came to the fore:

Day-to-day it's a story of quite a lot of tensions in which the people who work in the organisation are quite crucial in that out on the front line they don't really buy into the managed migration strategy, they don't see the higher level policy objectives. They see people who are so-called abusing the system and then they shout....they had a well embedded operational culture which meant that they were not prepared to give effect to policy. And the policy was not sufficiently organisationally embedded (Interview with former civil servant, 2012).

Another interviewee commented that there was a split between 'broadly liberal policy people', and 'more hard-end operations' people (Interview with Pearce, 2014). The conflict between and within departments over immigration policy stems from the contradictory agendas combined with the contentious politics of immigration, making JUG working very difficult, as former Director of the Strategy Unit commented:

I think it [immigration] was probably harder than most topics to deal with because the contradictions were more deeply rooted in the political stance of the government and to some extent unresolved... the public too had contradictory and perhaps incompatible desires for getting all the benefits of openness and none of the costs. That was what many people wanted, but it is very difficult to achieve (Interview with Geoff Mulgan, 2012).

Despite these conflicts and difficulties in communication, the proliferation of departments other than the Home Office claiming 'turf' on economic immigration policy changed both the practice of immigration policymaking, and the framing and policy solutions; from a control to an economic frame. This extension of turf was a result of two concordant changes in the administrative context: a mission for JUG and probably more significantly a particularly powerful Treasury initially pressurizing the Home Office.

There was an active move to engage both across departments and within the Home Office in the early 2000s, and the influence of other departments engendered a slight cultural change in the Home Office regarding how economic immigration policy was made. Where once policymaking was an insular affair monopolised by the Home Office and couched in a control frame, by 2004 when a review of the immigration system was conducted (eventually leading to the PBS) the Home Office were conducting cross-government reports and cross Home Office taskforces; collaborating with 'caseworkers,

enforcement people, visas, analysts, operational people, policy people and economists' (Interview with former Senior Civil Servant, 2012). Collaborative working, especially across the Home Office, on economic immigration became commonplace and remains practice today, suggesting a lock-in effect of institutional practices. The Home Office also brought economists into their policymaking teams for the first time. Before this period there were no economists looking at immigration in the Home Office and as one interviewee suggested 'I think that probably tells you something about where the priorities of the Home Office were at the time' (Interview with civil servant, 2012).

Prior to the Labour governments of 1997-2010 immigration policy had 'its own enclave'. But with the influence of economic departments, especially the Treasury, the Home Office 'tried to really understand how immigration could be made to fit with the wider policy objectives' (Interview with senior civil servant, 2012). The business-orientated departments played a significant role in importing the economically liberal ideas which were entrenched in their departmental cultures. This somewhat modified Home Office policymaking practices in the realm of economic immigration policy, a process symptomatic of 'institutional conversion' (Béland 2005; Thelen 2004) discussed in chapter two. The Home Office was never charged with looking through the 'economic lens' before, but the framing of immigration from that to be restricted to an economic growth strategy was a result of integrating ideas from business departments:

They [the Home Office] had spent 40 years thinking their job is to keep the doors totally shut, so getting them to think differently was really, really challenging and it was a really big culture change for them...By the time you get to 2005, the Home Office don't need that kind of pressure anymore, it's now starting to begin thinking about this stuff itself, even by 2002/03, it's beginning to embrace this stuff (Interview with former civil servant, 2012).

Indeed, some interviewees suggested between 2000 and 2005 there had been a discernible shift or a 'period of enlightenment' in the Home Office, from policymaking being conducted in a closed manner, to being a collaborative effort between government departments and stakeholders (Interview with civil servant, 2012; see chapter four for discussion in relation to stakeholder engagement).

In Labour's later years, interviewees commented that the relationship between the Home Office and other departments had 'gone downhill':

I think it was just that by 2007 it was just harder to maintain them [relationships]. I mean the whole department was undergoing such a huge crisis, engendered by a failure of cross-government working. I think that the pressures on the immigration system – to be seen to be achieving certain things for a populist market – makes it difficult... the politics of it were so difficult, it was hard to establish clear cross departmental ownership (Interview with former civil servant, 2012)

Despite cross-government working deteriorating in Labour's final term – indeed there was very little talk of JUG after 2005 – the influence of business orientated departments with their inherent economic framing of policy issues was evident in the early 2000s.

The administrative context is thus pertinent to explaining the policy shift because the overarching 'third order change' (Hall 1993) was ultimately a result of a series of by-products from other departments (Wright 2010, 177). These were not designed or conceived as one homogenous unified policy. Rather, these policies were spillovers from other departmental agendas, leading to an immigration policy which was, somewhat ironically, anything but joined-up. Managed migration was developed later as a 'narrative rather than strategy, because the background was already there... This thing had grown up over many years and there was never I suppose a real strategy – top to bottom strategy – for managed migration' (Interview with former civil servant, 2012). This demonstrates that successive rounds of 'normal policy change' can highlight inconsistencies with the previous policy paradigm to the new set of circumstances, and in turn generate an atypical or third order change.

Yet while institutional changes and departmental interests were critical to this narrative of policy change, initiatives, policies and proposals, however innovative, need political interests and thus actors supporting them to materialize. As the historical institutionalist argues, ideas are not free-floating abstractions but rather require interests and actors to legitimize and mobilize them – the more powerful the actor the better. In the case of immigration policy change, one minister in particular could be regarded as an agenda setter or a policy entrepreneur – Home Secretary from 2001 until 2004, David Blunkett.

A cabinet reshuffle in 2001 saw David Blunkett – who had been Education and Employment Secretary – being promoted to Home Secretary. Upon this appointment there 'was literally a big change within a week' (Interview with civil servant, 2012),

further highlighted by the relatively dormant period of economic immigration policymaking under previous Home Secretary Jack Straw. According to Blunkett his experience at DfEE and his knowledge of the work permit system influenced his assessment of immigration policy: 'It [DfEE] made me liberal with a small l. It made me see that immigration was a multifaceted issue' (Interview with David Blunkett, 2012). Administratively Blunkett brought the work permit scheme with him to the Home Office from DfEE as he 'couldn't see how you could logically not put them together' (Interview with David Blunkett, 2012). According to a special advisor, Blunkett came to the Home Office with a more 'positive and strategic approach' than previous Home Secretaries and brought a wider 'labour market thinking' (Interview with former SpAd, 2011). Indeed, Blunkett was purportedly very proud of the work permit system under DfEE as he had 'revolutionalised' the system, getting the time to obtain a work permit down to days rather than months which 'won him brownie points from the business sector' (Interview with Don Flynn, 2011). A former civil servant explains how Blunkett's appointment was so significant to policy change:

David Blunkett had a very strong interest in the subject and the economic value immigrants can bring to our society; he'd said those things when he was in education and he had run work permits which was actually a more open scheme....the implementation was run by DfEE and that was good, they were really good in that department, they really got it. So the Treasury had been working with the Home Office for some time to try and get them to do this thing [expanding economic immigration], and they had got somewhere but not terribly far. And then there was a moment when Straw left in 2001 and Blunkett arrived and that was the moment that they basically said "look he's really interested in this stuff, and you guys need to wake up and catch up", which is basically what happened. ....it's still in their DNA unsurprisingly [to minimise immigration] given the asylum rise at this time, but nevertheless they did have clear ministerial direction, and they started taking this stuff much more seriously. That was a really big change in the Home Office, literally when Blunkett came in....It was just that with Blunkett there it meant that we could go for a much more ambitious criterion (Interview with former civil servant, 2012)

Under Blunkett's leadership the number of work permits granted increased, attracting international students became part of the managed migration agenda, and the overall rhetoric of the Home Office changed from control to 'managed migration'. Having experienced the work permit system in DfEE David Blunkett's personal interest in the area saw material changes to immigration policy and a shift in rhetoric, going so far as to suggest that there was 'no obvious limit' to immigration on a BBC *Newsnight* broadcast (Blunkett quoted in BBC 2003). Blunkett purportedly felt strongly about the

need to rationalise the immigration debate, but his pride in managing such a successful work permit scheme was also ‘part of his rising profile within the Labour Party’ (Interview with Don Flynn, 2011).

Blunkett was a key architect of New Labour, and his rising profile in the Party may have contributed to his motivations for shaking up immigration policy. Nonetheless, Blunkett’s appointment to Home Secretary in 2001 was a catalyst for institutional and more pertinently here, policy change. The ideas and interests for such reforms were already circulating between the Treasury and DfEE, but the institutional norms and embedded policy framing in the Home Office were somewhat resistant to this new policy framing. Not that the Treasury needed to persuade Blunkett: ‘David didn’t need pushing and he wouldn’t have been pushed by Treasury officials’ (Interview with Pearce, 2014). Blunkett sought to, and was indeed appointed to, ‘shake things up’ in the Home Office (Interview with former Official, 2011), and a powerful actor was needed to overcome the institutional inertia or bias towards restriction which permeated Home Office policymaking. Blunkett was particularly frustrated with Home Office culture as even the briefest scan of his memoir reveals, and he readily conceded that he came in as ‘a steamroller over the way the department worked and its wider policies’ (Blunkett 2006, 285). He and Blair wanted a ‘complete revamp’ of the department administratively and culturally (Ibid, 298). This is not to place undue emphasis on one actor, nor is this to suggest that Blunkett was the driver for the overarching shift in policy objectives. It is rather to acknowledge that ideas need interests, that ministers are capable (if they have the political will) of overhauling policy paradigms, but most importantly it demonstrates the contingency between timing, interests and the need for powerful actors to mobilise ideas to dislodge institutionalised policy framings. In other words, ministers can matter but only in the right administrative context combined with other favourable dynamics.

## **6.5 Evidence, knowledge and policy transfer**

*‘It’s so political, evidence-based policy’ (Interview with civil servant, 2012)*

Given that research and evidence was purportedly an integral part of the “policy wheel” under the Labour governments, this section assesses whether the commissioning of

evidence, and in turn new knowledge, under the rubric of evidence-based policy proved to be paramount in changing policy objectives.

The accumulation of evidence and knowledge is a process of ‘policy learning’, which includes evidence from government, think tanks and academia. But the process of policy learning is not confined to the production of tangible evidence. Learning includes taking heed from past policies including failures (Hall 1993), drawing on lessons from other policy areas, and borrowing ideas from other countries otherwise known as ‘policy transfer’ (Rose 1991). Historical institutionalists contend that new knowledge or learning can, if only occasionally, alter policy frames and in turn change policy (Sabatier & Jenkins-Smith 1993, 104; Hall 1993).

How evidence and knowledge is used in policymaking has long been disputed amongst practitioners, commentators and scholars. In contrast to the instrumentalist theories which dominated the field in the 1980s, Majone (1989) argued the use of evidence in policymaking is bound up in the skills of persuasion and argumentation. According to Majone, evidence is selected information ‘from the available stock [which] is introduced at a specific point in an argument to persuade the mind that a given factual proposition is true or false’ (Ibid, 48). Majone argued that evidence is politically constructed and driven by political interests. Addressing the uses and functions of expert knowledge in immigration policymaking specifically, Christina Boswell (2009) claims that evidence can perform (a) an instrumental function; (b) a legitimising function or; (c) a substantiating function (although these are not mutually exclusive). Knowledge is used instrumentally when governments use research to fill gaps in their knowledge, ‘in order to adjust policy in a way that will achieve the desired societal impacts’ (Boswell 2009, 4). In contrast, expert knowledge can work to fulfil political functions which are not necessarily instrumental. The first of these symbolic uses of evidence is what Boswell calls a legitimizing function, where ‘by being seen to draw on expert knowledge, an organisation can enhance its legitimacy and potentially bolster its claim to resources or jurisdiction over particular policy areas’ (Ibid, 7). The final substantiating function expresses the way in which expert knowledge can help ‘substantiate an organisation or political party’s preferences, and undermine those of rival agencies or organised interests’ (Ibid). Like Majone, Boswell emphasises the political function of knowledge in policymaking, and contends that ‘political



organizations are likely to draw on knowledge as a source of legitimation rather than in order to improve output' (Ibid, 13).

In the 1990s research on migration within government was sparse. There was no migration research unit, no economists working on migration and it seemed that beyond producing annual statistics there was no demand for producing any type of research, at least from central government (Interview with senior civil servant, 2012). But with Labour's pursuit of evidence-based policy, and in turn an increase in funding to research crime and policing, resources were eventually poured into migration research (Interview with civil servant, 2012). The most significant development was the establishment of the Immigration Research and Statistics Service (IRSS) in 2000, which amongst other developments set-up a new migration research unit, currently called the Migration and Border Analysis unit. The new research agenda on immigration was officially launched a year later in 2001 at a major conference organised by the Home Office (2001b) entitled 'Bridging the Information Gaps'.

Over Labour's time in government, innumerable research reports on migration were produced. Much of the research undertaken was dominated by issues concerning the integration of immigrants and refugees. However, the majority of this research cannot be said to have impacted on policy in any discernible way, in part because the notion of evidence-based policy was 'only patchily internalised in Home Office thinking...it seems to represent a case of coercive isomorphism whereby the organisation felt obliged to adopt the trappings of a research function' (Boswell 2009, 157). Findings amongst interviewees suggested that the research agenda developed in isolation to the policy agenda, in the sense that there was a disconnect between the policy direction, focus and objectives, and the research being produced. One civil servant recalled that at the time there was 'evidence based policy fatigue', as there were 'too many interventions and too many ideas' (Interview with civil servant, 2012). Another interviewee commented that the 'EBP bug' became redundant to the extent that research was constantly being produced but the research had 'no relevance to policy' (Interview with civil servant, 2012). This was especially acute because the output was focused on producing reports which 'become almost irrelevant after the years it takes to publish' rather than the utilization of evidence for strategic policymaking (Interview with civil servant, 2012).

In terms of the types of evidence deemed instrumental in immigration policymaking under the Labour administrations, there was a clear preference for economic research over social research, or a ‘quantitative bias’ as one interviewee put it (Interview with civil servant, 2012). This is in part because ‘it is extremely hard to get good quality evidence on the social impacts side of things and to find a sensible way to interpret it’ (Interview with Home Office researcher). For example, many reports were concerned with the drivers for migration, the results of which were difficult to operationalize into policy. The same difficulties emerged with the integration research findings, as one civil servant commented:

The odd thing about the research agenda was the domination of integration type research and it strikes me as somewhat bizarre because it doesn’t come up with anything new – we know who needs integrating, we know they have problems and we know what those problems are – we kept repeating the same research which was telling us the same thing (Interview with civil servant, 2012).

Conversely, it seems for research and knowledge to be utilized by government in policymaking requires the research to be policy relevant in the first instance, therefore somewhat contradicting the notion of evidence based policymaking, and rather implying ‘policy based evidence’ (Interview with civil servant, 2012).

The very scope and definition of evidence and knowledge in terms of policy impact also changed under the Labour governments. In turn, the remit of policy analysts in the migration field broadened; impact assessments, economic forecasts, evaluating and monitoring policy impacts all figured as part of the evidence base of immigration policy. With the wider reforms in policymaking and policy delivery – such as New Public Management – evaluative research and opinions from stakeholders were highly valued. For example, as discussed in chapter four the PBS and the MAC were designed according to consultation feedback from various stakeholders. However, Ann Singleton who was involved in a government review of evidence use in immigration policymaking (Government Office for Science 2008), commented that although there were extensive consultations on how to implement the PBS, the ‘associated research appeared to be limited to how best the new system should be implemented’ (Interview with Ann Singleton, 2013). The PBS was foremost a ‘political decision’ (Interview with Ann Singleton, 2013).

It is no secret that there was an element of policy transfer involved in the designing of the PBS, as Immigration Minister Liam Byrne acknowledged when launching the system ‘we learnt from the most effective systems in the world, in this case Australia’ (Byrne 2008c). Home Office teams consulted (and seconded) with the Australian and Canadian governments to discover and learn what types of evidence they used to underpin and demarcate their PBS’s (Interview with civil servant, 2012). The Home Office particularly ‘borrowed’ ideas on sponsorship roles and functions directly from the Australian and Canadian systems (Interview with civil servant, 2012). Indeed one Home Office civil servant commented that they were ‘more likely to have links and meetings with the Australians than other UK departments’ when developing the PBS (Interview with civil servant, 2012). To the extent that these sources constitute evidence and knowledge, it is fair to state that knowledge utilization shaped the operationalization and functionality of the PBS, and therefore evidence in this sense shaped what Hall (1993) calls a ‘second order change’.

Yet whether research, evidence and knowledge played a role in prompting the ‘third order change’ (Hall 1993) under study here is far more ambiguous. Proving that evidence has a direct impact on policy outcomes is challenging. Nonetheless as will be demonstrated, on the whole, evidence played an important but mostly substantiating role in policy change (Boswell 2009). The government were keen to cultivate evidence of the positive economic impact of immigration and subsequently commissioned extensive research into this theme. But such evidence served mainly to depoliticize and frame the issue as one of economic rationality, indeed economic necessity, thus bolstering the case for expansion but not precipitating it.

As part of the JUG strategy and the evidence-based policymaking ideal, the Labour administration set up two units – the PIU and the Prime Minister’s Forward Strategy Unit – both based in the Prime Minister’s Office. These were later merged in 2002 to form the Strategy Unit. These were established to support government departments in establishing effective strategies and policies, and provide policy advice directly to the Prime Minister with an emphasis on an evidence based approach. Precisely because immigration is a cross-departmental issue the PIU, and later the Strategy Unit, conducted in-depth analyses of immigration policy. This resulted in a strategic review

of immigration and a report in 2001, the latter of which according to one of the authors ‘ignited a debate within Whitehall’ on the framing of immigration as an economic issue (Interview with Jonathan Portes, 2011).

The PIU published the first thorough economic analysis of immigration flows in 2001, *Migration: an economic and social analysis* (Glover et al. 2001)<sup>72</sup>. The paper was particularly significant because it was the first cross-departmental research report on immigration, receiving input from the Home Office, Treasury, DTI, Health and DfEE. The report was thus a product of the evidence based policy model and the JUG strategy. Particularly significant was that the report was led by a former Treasury and Cabinet economist, Jonathan Portes who ‘combined with the Treasury had a very strong sense that migration was good for growth’ (Interview with Senior Civil Servant, 2012). Additionally, non-government experts such as Sarah Spencer from the IPPR were seconded in for the report (a further manifestation of JUG and EBP). The 2001 report was made due to earlier investigations in the PIU, as Jonathan Portes recalled:

It came because of an earlier report I did in the PIU in 1999 on strategic challenges. There was a theme that came through very strongly– that immigration was something that was quite important part of what was going on in the UK economy and that the government hadn’t been thinking about it at all and that maybe they ought to be thinking about what the evidence base said and do some analysis (Interview with Jonathan Portes, 2011).

The report provided an evidence base and thus legitimated the expansive reforms, as Portes suggests:

It certainly changed the Whitehall dynamic, there was a sudden realization that immigration was an interesting issue, that there was quite a lot of economics, that it was an economic issue and it hadn’t been thought of as an economic issue before.

Alex Balch (2010) argues that evidence generally and in particular the 2001 PIU report played a crucial role in shifting the policy frame. He places emphasis on the role of experts such as Spencer and Portes and the knowledge they imported, and argues that its ‘effects become key to the push for policy change’ (Ibid, 154). However, immigration

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<sup>72</sup> This specific paper has been the central source/evidence/inquiry of the claim from Migration Watch amongst others on the right that Labour changed immigration policy to build themselves a pool of potential voters, on the assumption that immigrants would be more predisposed to vote for Labour. Freedom of Information requests from the press on the Glover et al report have since demonstrated that the original paper was scarcely different from the published paper, and an interview with Andrew Neather also confirms that this was an exaggeration of events.

policy was being pushed in this direction by the Treasury before the report was published, but the Treasury did not have the ‘resources’ to execute the research (Interview with senior civil servant, 2011). While according to Portes, the impetus for the research was not driven by policy initiatives, most interviewees stated that the Labour government intended to embrace expanding immigration flows before the report was produced, and that the government chose the policy ‘before it really began to think about the evidence’ (Interview with civil servant, 2012). Indeed even Portes conceded that the government ‘chose by default a broadly accommodative policy’ (Interview with Jonathan Portes, 2012). Other interviewees similarly commented that while the PIU report was important for ‘marshalling arguments’ about the economic benefits of immigration, and shifting how Whitehall as a whole thought about the issue, the report itself did not influence the policy or Blunkett personally as Home Secretary (Interview with Pearce, 2014). Whilst Balch correctly stresses the importance of new ‘outside’ actors being brought into the policymaking domain, his account inflates the instrumental significance of the PIU report, and while he acknowledges the varying functions of evidence in policymaking, his conclusions nonetheless imply that evidence, or at least the experts producing such evidence, played an instrumental role in bringing about policy change. Conversely, my research found that the 2001 report was an important part of ‘marshalling technocratic arguments’ (Boswell 2009, 128), but such research did not play an instrumental function, nor was it a necessary component of the policy shift.

The PIU report was followed by a second, more comprehensive report by the Strategy Unit (which was never made publicly available) which was attempting to achieve a JUG approach to immigration by consulting extensively across Whitehall:

One of the things we were trying to do – and I think we largely failed – was to achieve coherence. Migration policy had been made in a fairly ad hoc way by different parts of government. The Home Office had one set of perspectives, the DTI had a completely different set of perspectives, and education was yet another one. We were trying to look in a more rounded way at the different trade-offs and issues and the long term dynamics but I can’t claim we succeeded in that or rather I think we succeeded to a degree analytically but not in terms of getting Cabinet to really stand back (Interview with former director of Strategy Unit, 2012).

Whilst the report did not succeed in achieving a cohesive or multidimensional policy, its recommendations for a PBS were taken up, although Blair had already decided he

wanted a PBS (Interview with SpAd, 2011). The Glover et al. report however provided a public evidence base for legitimising the policy shift, but this was only significant because of the rubric of evidence-based policy which gave the report an added credibility. As discussed in chapter three, research had previously been commissioned into the economic impacts of immigration in the post-war period, and the results (whilst encompassing the usual methodological difficulties) found that immigration was on the whole economically beneficial. These reports were dismissed by previous governments, but because the Labour government were so persuaded by the *modus operandi* of evidence-based policymaking, at least for legitimizing purposes, the 2001 report carried more weight.

While evidence-based policymaking influenced the framing of immigration policy, evidence did not play an instrumental function to the extent that the results did not change policy. The pursuit of EBP did however provide the government with leverage for the managed migration agenda, in particular the much quoted figures of immigrants boosting GDP (discussed earlier), and the Glover et al. (2001) report. With the advent of evidence-based policy the terms of the debate shifted,

from traditional forms of political debate revolving around interests and bargaining, towards criteria based on economic and technological development goals....the new discourse meant debating the pros and cons of immigration within a new paradigm, one based on economic rationality (Boswell 2009, 143).

The steering towards rationalising and depoliticising policy (Burnham 2001) allowed the government to present a technocratic basis for expanding immigration policy. The evidence produced bolstered the case for managed migration, reinforcing the arguments for liberalisation and providing the government added legitimacy in conjunction with support from the business community (discussed in chapter four). Nonetheless, to the extent that evidence did play a role in economic immigration policymaking in this period, it served as a substantiating function, providing ‘sound-bites’ to support the new agenda (Boswell 2009, 158).

## **6.6 Conclusion**

This chapter has shown that the overarching policy change, or third order change (Hall 1993) was not centrally steered, but was rather a by-product of a series of policy reforms, driven by departmental agendas, which culminated in a liberal immigration

regime. Each policy reform had its own drivers associated with specific departments. The managed migration rhetoric employed in 2002 was a way of providing a coherent narrative for policy changes which had already transpired. This demonstrates the importance of taking a disaggregated view of the state. Assuming a monolithic lens of the state would miss crucial decision-making processes which were so pertinent to this case of policy change.

Immigration policymaking had been dominated by the Home Office prior to 1997. Because of the issues within the Home Office remit, the Department had developed a cautious and socially conservative culture. Such culture meant that immigration had been framed as an enforcement issue similar to crime, with the overriding objective that immigration was to be controlled and minimised. This culture persisted in the framing of asylum policy and elements of this culture and framing remain in practice today. However, the Home Office monopoly on economic immigration was fractured under the Labour governments, and with it a new framing was embedded.

The impetus for the policy change came from the Treasury, a Department which was especially powerful under Gordon Brown. The Treasury had previously argued the case for expanding economic immigration but this had been dismissed by previous governments. With the Labour governments the Department found a group of ministers who were sympathetic to this approach. The Treasury initiated small schemes aimed at plugging skills shortages by attracting high-skilled immigrants. These schemes were part of the Treasury's economic growth plan and were deemed non-contentious at the time. At the same time, the DfEE initiated a 12 year plan to double the number of international students, as a way of generating money for the university sector. Once again this initiative was seen as politically unproblematic. Similarly, the A8 decision was driven by a dual logic of foreign policy considerations and as a means of regularising irregular migrants residing in Britain already. Notwithstanding the principal motivation for the A8 decision, this policy was certainly not intended to induce the mass immigration which resulted. By the early to mid-2000s, the idea that immigration was an economic good had taken on its own unquestioned logic. The Treasury, along with other business-orientated departments, imported their culture and in turn economic framing to immigration policy for the first time, symptomatic of an endogenous process

of institutional conversion (Thelen 2004). As a result the policy frame was changed, from a control focus to an economic policy.

Yet ideas do not materialize by themselves. As innovative as an idea may be, without agenda setters pushing for a change in a policy frame, the idea can be overlooked. In other words without the support of powerful political elites, namely ministers, a new policy frame will not be embedded. Institutions are after all resilient to change but the appointment of a new minister can, if there is the political will, work as a catalyst to overcome institutional inertia. Ideas and interests are thus interdependent. In this case, David Blunkett in particular played an important role as a policy entrepreneur, encouraging immigration to be seen as an economic issue.

It was however Labour's third way ideology (see chapter five for discussion) and the way this was reflected and embedded in the institutional settings of policymaking which explain how these departments became involved in what hitherto had been a closed policy network. With the idea that policy should be based on "what works", Labour attempted to change policymaking practices with a joined-up government strategy and evidence-based policymaking. The institutional changes to policymaking which brought new actors into the circle were politically driven changes, influenced by the broader third way ideology of Labour. The evidence commissioned into migration as a result of the evidence-based policy rubric did not trigger the policy reforms. But the evidence nonetheless aided the government in marshalling rationalistic arguments for expanding immigration. While these initiatives were not wholly successful, the impact of rationalising policy based on evidence and extending the 'turf' of immigration policy to other departments, as well as widening the policy network through secondments and advisers from outside government, had a clear impact on the policy frame. Paradoxically, whilst turf was extended to non-Home Office departments, the result was an immigration policy which was anything but joined up. It was only later, after reforms had been passed, that the Home Office attempted to consolidate such initiatives under the concept of managed migration.

Institutions, far from being 'frozen residual structures' (Thelen 2004, 8) as many new institutionalists implicitly assume, are the 'objects of ongoing political contestation, and changes in the political coalitions on which institutions rest are what drives changes in



the form institutions take and the functions they perform in politics and society' (Ibid, 31). Thus institutions, whilst important structures which condition policy framings and indeed policy implementation, are essentially political constructions which, although resistant to change, are adaptive and susceptible to political influence from the governing party. I now turn to the concluding chapter which summarises the findings, and draws the threads together to provide an overarching explanation of policy change.

## Chapter 7

# Conclusion: an unintended outcome of intended action

### 7.1 Introduction

Twenty years ago Britain's Prime Minister described large scale immigration into Europe as one of the 'most striking failures of our age' (Thatcher 1992). Just over ten years later, the Home Secretary was claiming that there 'is no obvious limit to immigration' (Blunkett 2003). A profound shift occurred in British immigration policy between 1997 and 2010. This regime transformation is perplexing and interesting in its own right, but more than just an isolated anomaly in British politics, the changes made have had a lasting impact on both the population of Britain<sup>73</sup>, and the current political debate on immigration.

In this work I have explored the development of economic immigration policy in Britain under the Labour administrations. I set out to answer the question of how and why it changed between 1997 and 2010, from a restrictive approach to a comparatively expansive and liberal policy. Drawing on three existing approaches, the thesis examined how organised interests, party politics, and institutions influenced immigration policy and policy change. The thesis employed qualitative methods, primarily drawing on 45 semi-structured interviews with civil servants, politicians, interest groups and experts in the field.

Taking an organised interests lens in chapter four, I examined the role of interest groups to assess whether non-state actors lobbied government for more expansive policies, and consequently whether these actors can be said to have been responsible for a more liberal policy. In chapter five I examined whether 'parties-matter' by tracing the

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<sup>73</sup> In 2011 13% (7.5 million) of usual residents of England and Wales were born outside the UK; in 2001 this was 9% (4.6 million). Around half (3.8 million) of all usual residents of England and Wales on census day who were born outside the UK arrived in the UK between 2001-2011 (ONS 2012a).

‘modernisation’ of the Labour Party, and explored whether such an ideological reorientation influenced the Party’s approach to immigration. In chapter seven I adopted a historical institutionalist lens, considering the role of policy frames and the way they were negotiated by the departments which make immigration policy. The chapter considered whether institutional reforms were in any way contributory factors to policy change. The thesis examined whether this case of policy change could be attributed to any of the outlined factors.

This concluding chapter summarises the key findings in answer to the research questions, presents an overarching explanation for why policy changed, and offers explanatory insights for scholars of policy change generally. The thesis concludes with a discussion of policy developments since Labour left office, and reflects on whether Labour’s managed migration agenda had any lock-in effects.

## **7.2 Summary and key findings**

The key arguments of the thesis are fourfold. Firstly, this research has shown that there was no single cause of policy change. The shift in direction was rather a result of a combined set of favourable conditions. Each approach – organised interests, party politics and historical institutionalism – offers a partial explanation but no one approach can sufficiently explain why such a radical policy shift occurred. Secondly, the shift to managed migration was a consequence of an accumulation of policy reforms from different departments with different agendas. The overarching change in the policy framework was not preconceived and the repercussion – inducing the largest migration in peacetime history (Miliband 2012b) – was not intended. Thirdly, the logic of the policy reforms was informed by the Labour Party’s third way ideology, in particular their fixation with globalisation and friendly capitalism. Fourthly, immigration policy remained elite driven in this period.

The following section recapitulates the key arguments from previous chapters. It summarises the main empirical findings and reflects on the degree to which the existing approaches and literature correspond to such empirical findings.

### **7.2.1 Organised interests**

My research demonstrates that organised interests did not drive policy in a liberalising direction. Non-state actors, while broadly supportive of the reforms, did not lobby government for such a radical change. The interest groups interviewed stated that their efforts to lobby government on economic immigration began after the policy reforms had been enacted. Indeed many interviewees described their lobbying efforts as ‘reactive’ to government policy. There was no evidence to suggest that interest groups were lobbying government in any substantial way in the late 1990s or early 2000s. This is illustrated by the limited interest, resources and engagement that interest groups invested in the issue. Contrary to Somerville and Goodman (2010) and Caviedes (2010), my research shows that non-state actors had a limited impact on the policy framework. Indeed many policy decisions went ahead despite lobbying from interest groups.

There is some evidence to suggest that employers were disgruntled at the various administrative hurdles required to obtain work permits in the late 1990s. However, it would be an overstatement to suggest that this was the impetus for a change in government thinking. Employers’ lobbying efforts were confined to reducing visa costs and red tape in the 1990s, and these efforts were minimal at best. In all other respects, lobbying from employers and employer associations was nonexistent.

Only one NGO can be said to have been active on the economic immigration agenda, the Joint Council for the Welfare of Immigrants. However, the organisation’s objective, as far as economic immigration was concerned, was to establish greater employment and family reunification rights for migrants, rather than expanding immigration flows. In any case their impact on policy was insubstantial by their own admission. Unions were similarly lacking in any concerted lobbying efforts, and in turn their impact on immigration policy was tenuous. Much like JCWI, unions unsurprisingly focused on the employment rights of migrants, rather than any attempt to liberalise the policy framework. This being said, unions were largely sympathetic to most of the reforms and were especially supportive of the A8 decision, which perhaps explains their lack of impact per se as their objectives were congruent with the governments’.

When talking about the role of non-state actors, it is impossible to ignore key figures from centre-left think tank IPPR. It could be argued that actors from IPPR represented

policy entrepreneurs (Kingdon 1995) in this story; the organisation persistently spoke of the positive economic benefits of immigration throughout the 1990s and early 2000s (Spencer 1994). Under the Major government this advocacy had little impact, but it was a perspective that resonated with New Labour's governing philosophy. Described as 'Labour's civil service' (Taylor quoted in *The Observer* 2003), the close links between the Labour Party and IPPR were and are evident, and particular actors such as Blunkett's special advisor Nick Pearce (formerly from IPPR and since 2010 returned as Director of IPPR), have been widely acknowledged as having significant influence on these reforms (Spencer 2007). A handful of other actors could be mentioned here, yet the point is not to exaggerate the role of individuals. Rather, IPPR as an organisation had a prominent role in shaping, developing and reinforcing the ideas of the Labour government, often doing so by producing evidence to substantiate their beliefs. Alex Balch has stressed this point and suggests that 'it is possible that elements of the Labour government had at least partially assimilated the recommendations outlined by Spencer in 1994' (Balch 2010, 148). It is hard to discern and measure the direct impact the organisation had on policy. Nonetheless the element of congruence between the ideas and arguments of IPPR at this time and Labour's immigration policy are evident. However, their role should not be overstated; the government appeared to be independently thinking in these terms already (discussed below).

While organised interests were not responsible for the expansionary policies, the policy community were broadly supportive of the reforms and employers and employer associations certainly favoured an expansive immigration policy. Fortunately this was seen as consistent with the government's objectives. Interest group support was, however, rhetorically used by political elites to legitimize policy decisions. Indeed, the former Home Secretary suggested that the government wanted employers to be more vocal and campaign publicly in support of the changes in order to help government 'carry the day' (Interview with David Blunkett, 2012).

While interest groups did not cause the shift, their power to influence policy increased during the Labour administrations. However, their gaining influence was a result of the Labour governments being keen to engage with stakeholders, rather than pressure from interest groups. Increased stakeholder engagement was thus a consequence, not a cause, of policy change. While the overarching policy shift was not a product of interest

groups lobbying government, the contributions from interest groups on the PBS were imperative. The notion of having a PBS was already underway, but the operationalisation and specifics of the system were based on interest groups' contributions via consultations, thus they shaped 'second order' changes (Hall 1993) to policy. Whilst there was limited evidence to suggest that organised interests were responsible, their role in making and shaping policy was enhanced under the Labour administrations, and their support and input has been critical for policymaking from the mid 2000s onwards.

Rather than organised interests driving government action, my research demonstrates that the policy reforms, perhaps inadvertently, consolidated the policy community. The multiple consultations on the PBS, as well as the establishment of the MAC with its weight placed on stakeholder evidence, have given organised interests an official and systematic role for influencing immigration policy. As stakeholder engagement with government increased through the creation of various venues and forums, organisational maintenance has arguably increased across the policy network; with organised interests collaborating more frequently to take a coordinated position to lobby government on immigration policy. Interest groups may form firm coalitions on economic immigration policy in the future, and there is evidence of employer associations taking a more coordinated stance (discussed below). Future governments will now face greater scrutiny from this emerging policy community. In particular, the establishment of the influential MAC has created a mutually dependent relationship between sponsors and government. Stakeholders rely on their evidence to reflect their immigration policy preferences. Likewise the government relies on the evidence from sponsors to finalise their policies, thereby constructing what Caviedes called an 'indirect corporatist agreement' (Caviedes 2010, 114). This is a change to immigration policymaking which future governments are likely to be constrained by, especially as the PBS is contingent on labour market evidence. Thus without dismantling and replacing the PBS – a cumbersome and expensive process – future governments and organised interests will have to continue operating in this manner. This suggests a lock-in effect of Labour's policy.

The organised interests approach, and specifically Gary Freeman's client politics model, cannot explain why the Labour government liberalized policies. Conversely, the state

and the actors which comprise it proved to be the crucial actors in this narrative, confirming Statham and Geddes' (2006) finding that immigration policymaking, in the UK context, is elite-driven. The incompatibility between Freeman's model and the British case is perhaps because the model is based on the US federal system, which offers multiple avenues for interest groups to lobby government. This suggests that Freeman's predictions have greater authority in a political system perceived to be more open to the interests of big business, than in a parliamentary system such as the UK where constituency MPs are more receptive to the (usually) anti-immigration preferences of their voters (Balch 2010, 21). Moreover, Congress plays a more significant role in shaping policy in the US. In comparison, the executive leads on policy in a fairly autonomous manner in the UK (Sassen 1999, 187). It seems in this case the analytic model does not travel across the Atlantic particularly well.

The pluralist perspective, which the organised interests approach stems from, generally suffers from the assumption that there is causal link between change in policy and the interventions of organised interests. If organised interests matter it must be shown how they matter, what collective action they employed and whether such action truly had an effect on government or whether the objectives of interest groups mutually reinforced those of the state. This assumption has been stretched by some political economists to presume that strong economic conditions generating labour market shortages translates to employers driving the direction of policy (Caviedes 2010; Interview with Jonathan Portes, 2011). This assumption and conflation is firstly something which is easy to do after the fact, but most importantly it overlooks the way in which immigration policy is formulated behind closed doors by political elites (Statham & Geddes 2006). To assume that strong economic conditions determined the liberalisation of policy is economically deterministic, post-hoc rationalization and relegates the role of governments to a mere passive broker of interests (Boswell 2007, 79). This overlooks the fact that the state is an actor, one with interests and agendas like any other collection of actors.

### **7.2.2 Party politics**

The thesis set out to assess whether party politics – namely party competition and party ideology – contributed to the shift in immigration policy. Chapter five therefore examined whether policy change was a consequence of a change in administration,

party ideology and/or party strategy. My research shows that the change to the party composition of government was imperative. If we consider the counterfactual possibility of the Conservative Party remaining in power in 1997, it is highly unlikely that the reforms would have occurred, with the possible exception of the A8 decision. However, centre-left parties do not unequivocally favour expansive immigration policies. Comparisons across Western Europe<sup>74</sup>, as well as Labour's history (and current policy) on immigration demonstrate that this is not the case. Ideologically there is no fixed or given position on immigration for the centre-left, indeed immigration brings the ideological tensions of social democratic parties to the fore, between on the one hand international solidarity of the vulnerable working class, and on the other welfare state/labour market protectionism (Odmalm 2011, 1071). Nonetheless, being part of a centre-left party (in contrast to a centre-right party) does seem to shape political elites' preferences on immigration to some extent, and thus can shape public policy (Lahav 1997). While the election of a centre-left government was a necessary condition for policy change, it cannot be said to be a sufficient explanation.

The modernisation of the Labour Party proved to have a powerful effect on the preferences of leading political elites and is thus a significant explanatory factor for why policy developed in the way it did. Labour's rebranding and ideological reorientation through the Party's infamous 1990s policy review was, in part, for electability considerations. Nonetheless, Labour's ideological modernisation was reflected in most public policies, including immigration policy preferences. A major component of the Party's modernisation was their acceptance and endorsement of globalisation. The rebranded Labour Party assumed that globalisation was both inevitable and an intrinsically positive thing. And with international migration being 'the human face of globalisation' (OECD 2009b), immigration was, by extension, likewise assumed to be inevitable and primarily positive. These ideas were embraced by the leading factions of the Labour Party, and took on an almost unquestioned logic by the early 2000s. In conjunction, Labour's third way framework meant an overhaul of economic policy, moving away from Keynesian ideas and instead adopting neo-liberal economic principles. A key tenet of this new business-friendly approach was labour market

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<sup>74</sup> In their systematic comparative analysis of immigrant rights over 10 countries, Koopmans et al (2012, 1229) likewise concluded that 'Government incumbency of the left or right is not systematically associated with lower or higher rates of immigrant rights'.



flexibility, and immigration was seen as a tool to aid such flexibility. The Party also espoused an inclusive and cosmopolitan notion of British national identity, and multiculturalism was the preferred framework for integration policy. These principles were compatible with an expanding immigrant population.

However, there was not a homogenous consensus in the Party. Conversely, there was intra-party conflict, with factions condemning some of the policies because of the disproportionate impact on particular communities. This conflict reflects the contradictory ideological pulls immigration presents to social democratic parties (mentioned above), reflected in the cosmopolitan liberal elite leading the Party, and, according to some members of the PLP, their core constituents concerns for labour market protectionism. This was especially acute in Labour's final term of office. It was rather the leading factions of the Party advocating these changes. Nonetheless, if the Party had retained their so-called "Old Labour" ideas of protectionism, it is likely that the status quo of restriction would have persisted. Labour's modernisation agenda, chiefly the Party's acceptance and endorsement of globalisation, was one of the principal causes of the policy change because it changed the preferences of leading Labour ministers.

A weak opposition from the Conservative Party left the governing Labour Party with a sufficient degree of autonomy. The Conservative Party were fairly passive in their opposition to the policy reforms in the late 1990s and early 2000s. This can partly be attributed to the Party's generally 'futile period in opposition' between 1997 and 2001 (Collings & Seldon 2001, 624). The heavy electoral defeat in 1997 left the Party deeply divided and lacking in policy direction and clarity on all fronts (Ibid, 628). The Labour Party on the other hand held the largest majority in the House of Commons in the post-war period, making the government especially powerful and able to govern (and pass policies) with supreme autonomy. In terms of immigration politics, the focus in the political debate (and the media) was on the "asylum crisis", and consequently the reforms under study received little political and media attention. This being said, there was a lack of parliamentary debate for many of the reforms in the first instance, as they did not require primary legislation. To the extent that the policy reforms were debated, the Conservative Party were contrarily fairly supportive. The opposition took a tougher stance on immigration in the 2005 General Election, and the Party has continued to hold

a restrictive position on immigration ever since. In turn, Labour began to “row back”, at least rhetorically, on their expansionary approach after the 2005 Election. Yet when the policy reforms were underway between 1997 and 2005 Conservative opposition was weak. If the Conservatives had been stronger in their opposition perhaps the changes would not have occurred so rapidly and with such ease.

A lack of an electorally successful populist far right party also partly explains why the policy reforms transpired without political contention. Far-right parties were becoming electorally successful across many Western European states at this time, and their gaining popularity had an impact on the immigration debate, and in turn policy, in these countries (see Koopmans et al. 2012). This void in the political space meant that the immigration debate was perhaps less fuelled by populism and anti-immigrant sentiment than it otherwise might have been. However, weak opposition and a lack of populist far-right party only partly explain *how* the policy change transpired; it does not provide an explanation for *why* the Labour government passed the policies in the first instance.

My research found that ‘parties-do-matter’ then (Schmidt 1996). The modernisation of the Labour Party proved to have a powerful effect on the preferences of certain Labour ministers. Immigration was no longer seen as a threat to national workers’ wages. Conversely, immigration was seen as part and parcel of this new globalised economy and a tool to aid labour market flexibility. These ideas permeated through the leading factions of the Party and fundamentally changed their immigration policy preferences. However, these ideas permeated inadvertently. That is to say that Labour did not enter office with a plan to overhaul immigration. Rather the logical extension of an ideology underpinned by economic neoliberalism and the *raison d’être* of globalisation was an open immigration policy, but this was never formally decided or debated. In this sense, policy change was an unintended outcome of intended action.

The ‘parties matter’ school of thought assumes that parties are primarily office-seeking and thus adapt their policies in line with the electorates preferences in a bid to maximize their vote share. Given that the British public have never been in favour of expanding immigration, this case study is particularly illuminating as the policy reforms cannot be attributed to a vote maximizing strategy. Party ideology on the other hand has been neglected as an explanatory factor for why parties formulate their immigration policies

in the way they do, especially for social democratic centre-left parties which have been somewhat overlooked from the literature (see Hinnfors et al. 2012 and Odmalm 2014 for exceptions). My research has demonstrated that party ideology shaped Labour's economic immigration policy; indeed this was a major cause of the policy shift as the ideological reorientation of the party changed the preferences of the leading elite. It is not simply that 'parties matter' (Schmidt 1996) – although that in itself is a finding which runs counter to many accounts of immigration policymaking – but rather that party ideology matters.

Labour's rowing back on such reforms after the 2005 General Election can however be attributed to party strategy. This implies that future analyses on the relationship between parties and their influence on immigration policy should take a two pronged approach to the question, where party strategy is examined but that room is also 'made in explanatory narratives for the role of party ideology' (Hinnfors et al. 2012, 586). Thus future analyses should not just question whether parties matter but rather show how they matter. This being said, party ideology may be more significant in majoritarian systems where typically one governing party rules, as opposed to pluralistic systems where coalition governments will likely dilute the role of ideology in policy outcomes. Nonetheless, 'in the UK's majoritarian democracy policies move sometimes in an expansionary direction, sometimes in a restrictive direction; and which party or parties are in government matters for explaining this' (Hampshire & Bale 2014 forthcoming, 25).

### **7.2.3 Administrative context: Institutions, policy frames and knowledge**

Chapter six examined the institutions of immigration policymaking. Adopting a disaggregated view of the state the chapter examined the administrative context and the policymaking process in detail, assessing the degree to which policy framings, institutional cultures, and institutional changes to policymaking were contributory factors for the regime change. Taking a historical institutionalist lens, the chapter considered policy framings by examining the administrative context of immigration policymaking, such as which departments were involved in the policymaking process and whether this was reorganised under the Labour administration.

My research found that there was a stable policy frame underpinning immigration policymaking in Britain throughout the post-war period. This policy frame was, to some extent, renegotiated in the realm of economic immigration under the Labour administrations. Throughout the post-war period there was a bipartisan consensus that good race relations required limited immigration. Consequently, the policy frame which had been institutionalised in the Home Office was that immigration had to be controlled, limited and kept to a minimum. This policy frame, coupled with the other populist policy areas in the Home Office remit, created a cautious departmental culture which was reflected in immigration policy throughout the 1970s, 80s and 90s. Immigration was framed as an enforcement issue in need of controlling, much like crime. Asylum policy continued to be couched in a control frame under the Labour administrations. In contrast, economic immigration took on a very different framing.

Under the Labour administrations, immigration, as one homogenous policy, was disaggregated into asylum on the one hand, and labour or economic immigration on the other. It does not seem that the Labour Party necessarily entered office with a plan to separate these areas. It was rather a cumulative consequence of departmental agendas calling for a need for immigrant labour in their policy remits which effectively separated these policy streams, along with Blunkett's strategy to appease public concerns over asylum. This separation, consciously or not, proved to be advantageous for the Party, as the government could emphasise control on the one hand in asylum policy 'to allow continuity on the other (labour migration)' (Mulvey 2011, 1478).

In examining the administrative context of immigration policymaking, my research showed that the final product of managed migration was a consequence of a series of reforms which stemmed from departments other than the Home Office. Each policy scheme had its own drivers which were deemed politically unproblematic at the time. Combined, these policy schemes produced a liberalising effect on immigration policy. The concept of managed migration provided a cohesive narrative for the combined policy reforms which were already underway and by 2004 liberalised economic immigration, as an economic good, had taken on its own unquestioned logic. The most influential department and arguably the innovators for this new approach to immigration policy was the Treasury. For the Treasury – which was especially powerful under the Labour administrations – immigration was merely part of the economic growth strategy.

The challenge for the historical (and constructivist) institutionalist is not to show that ideas matter, but to explain why an idea is seized at a particular moment. The answer lies in the political and economic context, and Labour's institutional reforms to policymaking practices. The strong economic conditions and in turn skill shortages explains why the Treasury were predisposed to encourage expansive immigration policies. Labour's neo-liberal economic framework discussed in chapter five, coupled with the strong economic conditions explains the motivations behind the Treasury programmes. The Treasury, with Brown as chancellor, were also especially powerful under the Labour administrations, giving the department more authority and scope to legitimately intervene in public policy than had previously been the case.

Labour's third way framework also led to two changes to policymaking which partly explain why the change to the policy frame occurred: joined-up government and evidence-based policy. The degree to which these institutional changes were successful has been contested. Nonetheless, my research suggests that such amendments to policymaking had some impact on immigration policy. The JUG strategy gave departments other than the Home Office a legitimate claim on influencing immigration policy and thus extended the 'turf' to departments other than the Home Office for the first time. The EBP movement, at least in theory, meant that evidence was to play a more instrumental role in policymaking. The 2001 joint PIU and Home Office report which concluded that, 'overall migration has the potential to deliver significant economic benefits' (Glover et al, 2001: i) and other evidence such as the Treasury's much quoted figure of immigrants boosting GDP, gave the government substantiation that expansive economic immigration policies were positive for the economy. These arguments were not new however; research had been commissioned by previous governments and my archival research found that the Treasury have been keen enthusiasts for expanding economic immigration, but these were dismissed in the post-war period. However, under the rubric of evidence based policy the evidence produced at this time had an added credibility and provided the government a way of defining the issue as economic steering (Boswell 2009, 128). The politics of New Labour, coupled with strong economic conditions thus explains how, at that specific moment, the Treasury were able to challenge and transform the policy frame of immigration.

The change in policy frame was not so much about new ideas challenging the existing paradigm. Rather, the new frame materialized as a result of spillovers from one policy subsystem to the immigration policy subsystem. The notion being that immigration was part and parcel of economic policy, and therefore immigration policymaking should be guided by economic efficiency, not necessarily by the electorates' preferences. One could question whether this is a case of a 'third order change' then (Hall 1993). But given that the reforms were driven by the same economic logic, and that such reforms shifted the framing of policy to economic utilitarian underpinnings, I would concede that this case still represents an atypical third order change, although one that was not planned. However, that such change was driven by spillovers or a collection of 'normal policy changes' demonstrates that an overarching shift can be caused by an accumulation of minor changes or 'layering' (Streeck & Thelen 2005, 22) which challenge the consistency of the existing policy regime (Howlett et al. 2009, 202).

The historical institutionalist approach does have some explanatory potential in the case study. There was a policy frame – to minimise and control immigration – which had structured immigration policymaking in the post-war period. The introduction of new ideas by powerful actors – such as David Blunkett, the Treasury and key actors from IPPR – challenged this framing and transmitted an economic framing to immigration policy for the first time. Blunkett's appointment to Home secretary in 2001 was a catalyst for institutional and more pertinently here, policy change. The ideas and interests for such reforms were already circulating between the Treasury and DfEE, but the institutional norms and embedded policy framing in the Home Office were somewhat resistant to this new policy framing. Blunkett sought to, and was indeed appointed to, 'shake things up' in the Home Office (Interview with former Official, 2011), and a powerful actor was needed to overcome the institutional inertia or bias towards restriction which permeated Home Office policymaking. The objectives of immigration policy changed, so that policy was not based on the notion of controlled immigration being good for race relations. Rather, immigration policy was to be based on economic utilitarian arguments.

However, whilst the historical institutionalist approach has explanatory potential for this case, the ability to transform the policy frame was ultimately attributable to the wider political context. The opportunity for an idea to take hold was essentially due to a

change in the political stream (Kingdon 1995), in other words a change in administration. The change in administration brought in a new set of governmental actors and meant that the ground for new ideas was fertile. The opening of a window of opportunity as a result of a change in the political stream seems a pertinent fit with the case study. Therefore this research demonstrates that while the historical institutionalist approach has relevance to the case, the change in policy frame was fundamentally rooted in a change in administration, and in turn, the modernisation of the Labour Party. That is to say, my research found that the policy frame did shift but that the ability to alter the policy frame and objectives of immigration policy was by virtue of a change to the governing party. This is a challenge to new institutionalist approaches generally, as my research demonstrates that far from being ‘frozen residual structures’ (Thelen 2004, 8), screened from political pressure (Boswell 2007, 83), institutions are in fact susceptible to party political influence and are the ‘objects of ongoing political contestation’, and changes in the political administration ‘on which institutions rest are what drives changes in the form institutions take and the functions they perform in politics and society’ (Thelen 2004, 31). Thus institutions (in this context at least), whilst important structures which condition policy framings and indeed policy implementation are essentially political constructions which, although to some extent autonomous and resistant to change, are adaptive and susceptible to political influence from the governing party.

### **7.3 Pulling the threads together: complex causality**

While the expansionary developments were not caused by one single factor, a set of favourable conditions allowed for a shift in immigration policy. Firstly, a change in administration brought a window of opportunity for policy change (Kingdon 1995). Secondly, the UK’s strong core executive in comparison to other Western states means that the executive can act relatively unconstrained. Consequently if political elites have the political will to change policy then they can do so with relative ease. Thirdly, the 1997 General Election saw a heavy Conservative defeat, leaving the opposition Party deeply divided, uncoordinated and lacking clarity on policy. In turn, the Labour Party won a landslide victory in 1997 making the governing party especially powerful and able to govern with a sufficient degree of autonomy. Fourthly, a booming economy meant that the governing party could flex their political muscle freely. These were the

favourable conditions – or mechanisms and capacities (Bennett & Elman 2006, 457) – which made the radical shift in policy objectives possible.

Process-tracing Labour's economic immigration policy shows that the regime transformation was an incremental process, albeit over a short period, where initially there was no conscious effort to transform policy. The story of an overarching shift in the policy framework is best seen as an accumulation of a handful of moving independent components, oscillating in the background until, with pressure from the Treasury and a new Home Secretary, the Home Office re-evaluated the system and devised a policy and term which made sense of these reforms, managed migration. What began as a handful of non-contested schemes turned into an immigration system underpinned by the belief that immigration was inevitable, intrinsically positive and imperative for Britain's economic growth. A set of favourable conditions was needed, the administrative context (chiefly the Treasury's early interest) explains the origins, but underlying all of these moving elements was Labour's modernisation project, believing in globalised free markets and friendly capitalism.

Yet the process of a regime transformation was not a simple linear one. There were a number of simultaneous moving pieces in this narrative, all of which contributed to the shift. Thus I argue that policy change was ultimately a consequence of favourable timing and complex causality. It is not just the banal truth that context matters in the sense that detail matters. Rather 'what is too easily dismissed as "context" may in fact be absolutely crucial to understanding important social processes' (Pierson 2004, 169). It is to suggest that there were different layers of this process, different domains of politics – non-governmental interests, party politics and the administrative context of policymaking– which move according to their own logic. Public policymaking brings these layers to the fore, and policy change can be a reflection of these different interacting layers; thus contingency, sequencing and timing matter (Pierson 2004). This is not to suggest that each social setting is unique and infinitely complex. Rather that we 'should recognize that an event or process is envired by its temporal location, its place within a sequence of occurrence, and by its interactions with various processes unfolding at different speeds' (Ibid, 172). If for example, the economic climate was poor the policy reforms would not have materialized. Likewise if Labour had not ideologically re-orientated in the first instance, there would have been no incentive to



change the status quo of restriction. And without administrative reforms opening up the ‘turf’ for other departments and actors, and an especially powerful Treasury under Brown, Labour’s ideology would not have been exported to the framing of immigration policy. New Labour was a new breed of politics; it was a very different beast from its predecessors and a powerful one at that, both directly in terms of their majority, the personalities of the core leadership, but also rhetorically and discursively. Successful or not, the third way was a genuine attempt to redefine British politics, and Blair has been described as the ‘master of new politics’ (Gamble 2010, 645). This was said to be ‘the party of change, of progress of radicalism’ (Robinson 2012, 123) and Labour’s dominance and ideological persuasion is at the heart of this case.

This case in many ways resembles a critical juncture, as this set of favourable conditions provided a window of opportunity in which structural influences on political action were relaxed. These conditions – strong economy, strong majority government, and a weak opposition – coincided at the same time and consequently prompted a moment for political actors to overcome the usual bias towards inertia (in this case a restrictive policy frame). From this perspective, one could say that three variables converged to produce the liberalisation of immigration: a strong economy with low unemployment and skills shortages; a Labour government with a colossal majority and an ideological commitment to globalisation and free markets; and a series of institutional reforms which broke the monopolisation of the Home Office by introducing new actors into the immigration policymaking process. Independently, none of these factors would likely have been sufficient to cause such a radical change. Rather, a strong set of structural conditions (strong economy, strong governing party) created a window of opportunity and allowed for the contingent combination of these factors (Labour’s third way ideology, and change to the machinery of government which broke the Home Office monopoly) to displace the typically restrictive policy framing (Consterdine & Hampshire 2014). Yet a critical juncture cannot be said to be a critical juncture unless a new historical legacy or path is identifiable. After offering some explanatory insights for scholars of policy change, the subsequent section will evaluate whether there are any identifiable lock-in effects on immigration policy inherited from the Labour governments.

#### **7.4 Explanatory insights for policy change**

If we want to draw lessons on why policy changes four major findings from my research stand out. Firstly, there was no single cause of change. Rather a set of favourable conditions simultaneously transpired to produce a window of opportunity. Public policymaking is a chaotic and convoluted process, and is conditioned by a multitude of factors, including socioeconomic conditions, the governing party, departmental agendas, knowledge and evidence, and organised interests to name a few. The case highlights the limitations of the literature on immigration policymaking which privilege one factor over another, such as political economists' preoccupation with interest groups, party scholars' concentration on political parties, and the institutionalists' focus on the administrative context, all at the expense of recognising the contingency between these factors. A single causation of policy change does not reflect the reality of this case study. As Paul Pierson (2004, 178) argues 'all angles of vision create distortions', thus scholars should resist the temptation of adopting a single lens to explain public policymaking. There are a myriad of actors and drivers for immigration policy change, and policy analysts should take sufficient account of these various roles. Those searching for parsimonious explanations will fail to recognise the non-trivial complexity of policymaking, and the interplay between conditions such as party politics and the institutional context, where the explanation of policy change often lies (Hampshire & Bale 2014 forthcoming).

Secondly, my research has shown that in the context of immigration policymaking, executive power is alive and well. This thesis argues against those scholars who contend that this case of policy change was driven by employers' demands (Somerville & Goodman 2010; Caviades 2010). Contrarily policy change was driven by political elites and was executive led, supporting Statham and Geddes (2006) findings. The UK is the Weberian ideal type of a strong executive and as Randall Hansen has noted, this means that the UK can maintain 'for relatively long periods policies that fly in the face of public opinion' (Hansen 2011, 23). Hansen (2000) has argued elsewhere that the turn to restrictive immigration policies in 1960s Britain was attributable to a strong core executive. Forty years later this pattern of concentrated executive power remains in place. My research demonstrates that under favourable conditions, immigration policy is determined 'top down' in a relatively autonomous way by the executive in Britain, and in turn, by the leading political elites.

A further lesson is the potential influence that party ideology can have on policy preferences. The scholarly literature tells us that party affiliations make a limited difference to elites' immigration policy preferences. My research challenges this assumption. Explanations of immigration policy change have tended to focus on ideas, interests, and exogenous factors at the expense of the party political context. Parties are too often assumed to be passive; merely channels for other actors preferences and ideas, changing policies to appease the electorate, or simply reacting to exogenous events. Conversely, those that have studied the relationship between parties and immigration policy have focused exclusively on party positioning and party strategy (see Hinnfors et al. 2012 and Odmalm 2014 forthcoming for exceptions). Yet in this case the logic behind managed migration was a reflection of Labour's distinct third way vision of the global economy. An ideological reorientation in a party can fundamentally alter the preferences of political elites, and if this party enters government this reorientation will likely be reflected in policy and thus, if deemed necessary, will result in policy change. Furthermore, my research demonstrates that the governing party ideology can be reflected in administrative reforms and thus influence the institutional context of policymaking. The findings suggest that intra-party change, such as an ideological shift in a party, can potentially have a major impact on the direction of policy then. This research shows that not only do parties matter, but that party ideology matters, and future analyses should examine both party strategy *and* party ideology.

A final lesson is the importance of policy spillovers, and therefore the importance of studying policy developments in other policy subsystems. The impetus for a managed migration policy was a result of several policy reforms stemming from other policy agendas. In the making these reforms were not conceived as one homogenous policy programme. This research shows us that a shift in the policy regime is not necessarily a conscious political decision and can be a repercussion of other policy choices and outputs. This further highlights the need to take a disaggregated view of the state, lest the decision-making processes will be lost. Scholars should resist studying immigration policy in an enclave, detached from other policy agendas. Immigration policy can be informed by a number of objectives, including foreign policy, higher education policy and economic policy. Indeed, in this case many of the reforms were a by-product of other policy agendas. The impact of policy spillovers has been neglected by both those

who study immigration policy, and those who seek to explain policy change more generally. Future analyses of policy change should give some consideration to policy developments in other sub-systems which may be influencing the direction of the policy area under question.

### **7.5 ‘Business as usual’? Reflections on policy developments since 2010 and Labour’s legacy**

As radical as Labour’s immigration policy changes were, a liberalised economic immigration policy has not persisted in Britain. Four years into a coalition Conservative-led government, the current state of policy has seen a shift to a restrictive regime. Since the coalition agreement in May 2010, the Conservatives and Liberal Democrats have set about the task of meeting the former’s electoral pledge to cut immigration from the hundreds of thousands to the tens of thousands by the end of this parliament (2015).

In a bid to cut net migration down to the tens of thousands, the Coalition government placed an annual limit on the number of non-EU workers employers are allowed to bring in to the UK. This has been the most significant change to economic immigration policy. The annual limit came into force in April 2011 and is set at 20,700 workers under the Tier 2 (skilled) bracket<sup>75</sup>. Tier 1 of the PBS has been closed altogether. In terms of student immigration, which now represents the largest immigration stream to Britain, the government have invested much time and resources into tackling so-called ‘abuses and misuses’ of the student route. This has included closing down ‘bogus colleges’ and an increase in scrutiny of educational institutions that have a Tier 4 sponsor licence<sup>76</sup>. While the government insist that their policies will not dissuade ‘genuine students’ from coming to study in the UK, there have been measures which have made it harder to obtain a student visa<sup>77</sup>. Furthermore, the government are keen to

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<sup>75</sup> Visa fees for a Tier 2 visa have also been increased from April 2013. The government have also tightened work-related migration further by making the shortage-occupation list graduate-level only.

<sup>76</sup> The focus of this scrutiny has been on language colleges and private sector institutions where much of the abuse was deemed to be taking place. However, in August 2012 the Government, somewhat controversially, took the decision to suspend the London Metropolitan University’s sponsor licence for failure to comply with monitoring of foreign students (it has since been reinstated).

<sup>77</sup> These include: an increase in the financial and language requirements for overseas students, placing significant limits to working rights whilst studying and greatly limiting the right to bring dependents on a student visa.

make student immigration exclusively temporary immigration<sup>78</sup>. And while the government cannot impose limits to intra-EU mobility, the government have made it clear that full transitional controls (seven years) will be placed on any new accession state.

The changes made undoubtedly represent a tightening of immigration, motivated by the government's stated intention to reduce net migration. The policy changes had appeared to be somewhat effective at cutting immigration. Net migration had been falling, with levels at 153,000 in the year to September 2012, down from a peak of 255,000 in the year to September 2010. However, the latest figures from the ONS show a 30 per cent jump in the last year, bringing net migration in the year up to September 2013 to 212,000. A total deduction of 43,000 since the Coalition entered office. Since the latest figures in May 2014, where net migration has continued to rise, Home Secretary Theresa May has 'watered down' the Tory commitment, stating that the target is now a long term objective (BBC 2014). Come May 2015, we will see if these measures have truly had the desired effect.

The Coalition's immigration policy is clearly a restrictive one, indeed arguably the most explicitly restrictive policy in Britain to date. Does this mean that Labour's transformation of immigration policy was as an isolated anomaly? A critical juncture can only be said to be so if it generates a locked-in path which constrains future government action, although other institutionalists argue that sophisticated versions of path dependence eschew deterministic notions of "lock-in" (Crouch & Farrell 2004), claiming that 'institutions based on power can be undermined by a drop in the power or legitimacy of the actor that maintains them' (Bennett & Elman 2006, 257). Britain's majoritarian system and strong core executive means that governing parties can shift policy radically if they deem it necessary, and the Conservative Coalition-led government clearly did. At first glance it might seem that Labour's liberalising regime was a deviation, confined to its time and quickly dismissed as a 'mistake' in British politics (Miliband, 2012a). Yet the changes made have had lock-in effects on the way

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<sup>78</sup> The government has abolished the Tier 1 post-study work route, and introduced new rules which require overseas students who wish to stay in the UK to work after graduating to acquire a skilled job offer from an employer.

immigration policy is structured, which is a fundamental, if overlooked, legacy of the New Labour period.

Contrary to first appearances, elements of Labour's immigration policy persist in shaping the Coalition's immigration policy in five key ways. Firstly, the mechanism by which immigration is regulated – the PBS – remains intact. The Conservative Party called for a similar system in their 2005 election manifesto, and the Coalition government has no plans to dismantle this apparatus. This is significant as immigration will continue to be regulated by a clear supply and demand system, based on human capital. The preservation of the PBS is also significant because in contrast to the previous convoluted immigration system (where the number of work permits issued for example were more amenable to business influence), it places the regulation of immigration firmly in the hand of the executive, something the Coalition government have keenly maintained. The PBS gives governments the capacity to adjust entry criteria to reflect changing circumstances or evidence on outcomes (Spencer 2011, 93), a system particularly advantageous with volatile economic conditions. Similarly, the body set up by the Labour administration to advise the government on migration issues – the Migration Advisory Committee (MAC) – remains in place. The evidence this body produces has continued to shape (and often substantiate) government policy, perhaps to an even greater extent than the previous government.

Secondly, the move to create an evidence-based immigration policy has endured under the Coalition government. The degree to which evidence substantiates and legitimizes policy or is conversely instrumental to policymaking is disputable (Boswell, 2009). What is clear is that the government refers to evidence (usually numerical/quantitative) when announcing any changes to immigration policy. And while the government research budget has been cut, evidence from the MAC and the Migration and Border Analysis Unit continue to be produced by government, and used by political elites to, at the very least, legitimize their decisions. Before Labour, there was no MAC, no MBA and fundamentally scarce government research on economic immigration.

Thirdly, the efforts of the Labour administrations to increase stakeholder engagement have had a lasting impact on immigration policymaking. While my research found that organised interests were not responsible for the liberalisation of policy under Labour,

the ‘indirect corporatist agreement’ (Caviedes 2010) between organised interests and the government set up by the Labour administrations is likely to constrain government action, as the PBS and the MAC are dependent on information from such interest groups. Organised interests especially employer associations, are now vocal in their position and/or opposition on immigration policy, and groups which once shied away from the media on such issues are now employing ‘outsider’ lobbying tactics<sup>79</sup>. Interest group opposition to the government’s immigration policy have been rife in comparison with Labour’s immigration policy, and numerous examples could be cited here<sup>80</sup>. Whilst the government pursued their policies regardless, business opposition has not gone unnoticed by the Coalition government; various amendments such as excluding intra-company transfers from the annual limit were undoubtedly a result of the intensive and coordinated lobbying from employers and employer associations. As a result of Labour’s stakeholder engagement efforts, the politics of immigration in Britain may look more like Freeman’s clientilistic politics in the near future.

Fourthly, immigration is now recognised as a multifaceted issue, at least by political elites. Asylum and immigration are no longer lumped into one category. The notion of having an economic immigration policy is very much a legacy of the Labour administrations; lest we forget that different streams of migrations were once seen as one homogenous policy. Prior to 2000 there was no strategic economic immigration policy to speak of. Now it is a policy which every government will have to address including the challenges of appeasing a now powerful business lobby mentioned above. Notwithstanding his party’s ‘row back’ on immigration, Prime Minister David Cameron pays rhetorical homage to joined-up government, with constant reference to the multifaceted (albeit negative) impacts of immigration on welfare, development, communities and the economy, going so far as to say that, ‘immigration and welfare reform are two sides of the same coin’ (Cameron 2013). Prime Minister Cameron has talked about the ‘need to work across government [and] break out of the old government silos’ so that, ‘immigration policy is factored into Britain’s benefit system,

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<sup>79</sup> CBI Director for Employment and Skills, Neil Carberry publicly warned that the Government’s policies could be holding back growth, deterring investment and damaging universities <http://www.cbi.org.uk/media-centre/press-releases/2012/12/immigration-changes-welcome-but-overall-policy-puts-growth-at-risk-cbi/>

<sup>80</sup> The CBI have joined up with other employers and the Law Society on a campaign waning that Britain must stay open to skilled overseas workers, August 2013, online available at: <http://www.theguardian.com/business/2010/aug/23/employment-cbi-immigration-cap>

health system and housing system' (Cameron 2013), a stark comparison to a time where the Home Office worked in an enclave. In turn, inter-departmental conflict on immigration policy seems commonplace under the Coalition government, with the Department for Business and Innovation been especially opposed to the measures taken on student immigration.

Fifthly and perhaps most significantly, immigration is now debated on economic grounds. This rationalization of migration now sees leaders on both sides of the House suggesting that reforms are needed in the economy for an effective immigration policy (Miliband 2012b; Cameron 2011), essentially grounding their arguments in the economics of immigration. While the Coalition government have asserted that immigration must be cut to sustainable levels, the rhetorical arguments for restricting immigration are, in the main, economically grounded<sup>81</sup>. Cameron even suggested that immigration should be 'a centrepiece of our economic policy' (Cameron 2013). Moreover, any political rhetoric expressing the aim to reduce immigration is always counterbalanced with the positive aspects that immigrants bring, including the recognition that certain types of immigration are economically beneficial. This is usually articulated via the borrowing of the mantra 'attracting the brightest and the best' which as Hampshire and Bale (2013, 4) note 'could have come straight from the New Labour hymnbook'. The Coalition policy may be restrictive, but few politicians suggest that immigration is unequivocally a bad thing economically. There has, as Nick Pearce commented, been a 'shift that has endured; there is a relatively settled view that high-skilled immigration and student migration can be good for the country. That hasn't changed and that came from the Labour period' (Interview with Pearce, 2014). Immigration policy is now, at least partly, debated and informed by economic utilitarian arguments. It is more technical, more evidence-based, and on the whole, more susceptible to labour market needs. The PBS, the MAC, the mantra of brightest and best, all equate to an immigration debate based on the economic utilization of immigrants, clearly an enduring discourse inherited from the Labour governments. Every Home Secretary must now look through an economic lens when making immigration policy. This reframing of immigration is one of the fundamental, if overlooked, legacies of New Labour's immigration policy.

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<sup>81</sup> . For example, Home Secretary Theresa May claims that immigration should be reduced because of the cost on infrastructure and public services and effects on resident jobs and wages (May 2012).



Finally Labour's reforms have changed the politics of immigration. This is not a structural lock-in effect per se, but arguably Labour's managed migration programme has made immigration a more politically salient issue. Labour's policies quite literally changed the face of Britain (Finch & Goodhart 2010), thus there was a visible change in the demographic of the British population, and the public noticed. The Conservatives and indeed far right parties the BNP and UKIP have politicized this, and the latter's recent success at the 2014 European elections arguably demonstrates a successful mobilization of the issue. The A8 decision in particular has since caused much controversy, and has effectively entangled the issues of EU membership and immigration. For the British public, weighing the costs and benefits of EU membership is now in part a question of how much immigration is desirable.

For the shadow Labour Party, how to handle the issue of immigration is proving increasingly difficult. The ideological tensions immigration presents to social democratic parties have come to the fore and the Party is somewhat split. Party leader Ed Miliband's 'background and instincts are those of a metropolitan liberal' (Hardman 2014) and the Party's values are founded on notions of equality, tolerance and openness, all of which lend to a progressive immigration policy. Yet Labour is conscious that they must disassociate themselves with their previous record if they are to win on an issue which the Tories historically 'own' (Green & Hobolt 2008), and the core leadership are thus adamant to concede that they 'made mistakes' on immigration (Miliband 2012a). Miliband knows this dilemma well, declaring the two dangers of the immigration debate to be either to wish away public concerns or to suggest that Labour could close Britain off from the world; a difficult balance which Miliband acknowledges to be 'an incredibly hard thing to achieve' (Miliband 2012b).

The Party have not explicitly stated what their immigration policy would be, but the Party will certainly not liberalise or expand immigration policy, and a shift towards the right in rhetoric seems undeniable and an equally restrictive policy imminent if they return to office in 2015. Miliband has stated that if the evidence shows that the annual cap on immigration has not caused problems for the British economy, a Labour government would maintain it (Miliband 2012b), although he will not 'set false targets or make false promises' (Miliband quoted in Wintour 2014). The Party have also

promised that they would place full transitional controls on any new EU accession state (Miliband 2012a), although they reject blocking free movement of workers from the EU (Miliband quoted in Wintour 2014). The implication being that Labour's immigration policy will remain on the same restrictive platform as the Coalition's. Factions of the Party also formed Blue Labour which calls for a more socially conservative response to immigration to protect Labour's core working class constituents (Glasman et al. 2011). Yet other members of the PLP have argued that Labour's rhetorically restrictive position on immigration represents 'an arms race on immigration' (Vaz 2013), and that the Party are 'pandering to the right without offering concrete solutions' (Abbott quoted in Jowit 2013).

At the heart of this dilemma are the contradictory ideological pulls which immigration presents to centre-left parties, between on the one hand cosmopolitan internationalism, and on the other welfare state/labour market protectionism (Odmalm 2014). Before 1997 this may not have mattered; where once immigration barely warranted a mention in manifestos or campaigning, it is now an issue every party must have a policy on. Arguably Labour's reforms have brought immigration to the forefront of British politics and debates on immigration are now a permanent fixture of the political landscape. It is no exaggeration to say that the period under Labour has transformed the politics of immigration in Britain. Policy has changed politics and paved a new path for future governments.

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Blunkett, David MP, Home Secretary 2001-2005 and Secretary of State for Department of Education and Employment 1997-2001 (07/03/12).

Neil Carberry, Director for Employment and Skills at CBI; formerly Senior Policy Adviser Employment and Reward at CBI 2004-2005 (23/11/11).

Cavanagh Matt, formerly Associate Director at IPPR and Special Adviser to the Home Secretary 2003-2004 and Prime Minister 2007-2010 (30/01/12).

Nick Clark, Employment Relations Senior Research Fellow, Working Lives Research Institute; formerly TUC (project manager for establishing European workers council and board for GLA) (04/08/11).

Clake Charles, Home Secretary 2004-2006 and Secretary of State for Education and Skills 2002-2004 (12/04/12).

Couchman Martin, Deputy Chief Executive of the British Hospitality Association (15/11/12).

Jon Cruddas MP, Labour's Policy Coordinator (29/11/11).

Denham John MP, formerly Parliamentary Private Secretary to the Leader of the Opposition 2011-2013; Secretary of State for Communities and Local Government 2009-2010; Secretary of State for Innovation, Universities and Skills 2007-2009; and Chairman of the Home Affairs Select Committee 2003-2007 (13/06/12).

Diamond Patrick, formerly Director of Policy Network and Special Advisor to Peter Mandleson (13/12/11).

Tim Finch, Director of Communications and Associate Director for Migration; formerly Communications Director at Refugee Council 2004-2008 (23/08/11).

Don Flynn, Director Migrant Rights Network; former policy officer for Joint Council for the Welfare of Immigrants (20/07/11).

Sir John Gieve, Permanent Secretary, Home Office 2001-2005 (09/01/12).

Goodhart David, Director of Demos, journalist and founder of Prospect (26/01/12).

Green Andrew Sir, Founder and Chairman of Migration Watch UK (14/06/12).

Hodge Margaret MP, Chair of Public Accounts Committee; formerly Minister for Work 2005-2007 and Parliamentary Under-secretary of State for Department for Education and Employment 1998-2001 (17/04/12).

MacShane Denis, Minister of State for Europe 2002-2005 (26/09/12).

Metcalf David, Professor of Industrial Relations LSE and Chair of the MAC (04/10/11).

Mulgan Geoff, formerly Director of Policy at 10 Downing Street and Director of Prime Minister's Strategy Unit (20/03/12).

Neather Andrew, Journalist for London Evening Standard, formerly Civil Servant at the Home Office (07/02/12).

Owens Ed, Former Special Adviser to the Home Office 1997-2001 and Foreign and Commonwealth Office 2001-2005 (22/11/11).

Pearce Nick, Director of IPPR; Head of Policy Unit 2008-2010, Special Advisor to David Blunkett at DfEE 1997-2001 and Home Office 2001-2004 (1/05/14).

Portes Jonathan, Director of National Institute of Economic and Social Research; Team Leader at the Performance and Innovation Unit in the Cabinet Office 1999-2001, and Chief Economist and Deputy Director for Work, Welfare and Poverty at the Department of Work and Pensions 2002-2008 (29/11/11).

Potter James, Senior Legal Adviser at National Farmers Union (22/11/11).

Roche Barbara, Minister of State for Immigration, Home Office, 1999-2001 (14/01/12).

Ruhs Martin, Associate Professor of Political Economy and Senior Researcher at COMPAS and Member of MAC (22/09/11).

Spencer Sarah, Senior Fellow and former Deputy Director at Compass, former IPPR Fellow (10/06/11).

Simmons Jon, Deputy Director of Migration and Border Analysis Unit at the Home Office; Head of Research and Statistics at the Home Office 2000-2007 (17/06/12).

Singleton Ann, Senior Research Fellow at the University of Bristol, Founder of Statewatch and Steering Panel member for Science Review of Home Office and Ministry of Justice Science Review (01/10/13).

Somerville Will, Senior Policy Analyst AT Migration Policy Instituted; Researcher at IPPR 2001-2002 and Policy Analyst in the Prime Minister's Strategy Unit 2002-2003 (20/09/11).

Sriskandarajah Dhananjayan, Director General CIVICUS formerly Deputy Director at IPPR 2004-2008 (23/03/12).

Swain Martin, Vice President of Global Employees Relation at GlaxoSmithKline (20/06/12).

Thomson Greg, Head of Strategic Organizing for UNISON; National Development Manager for Migrant and Vulnerable Workers 2008-2011 (07/7/11).

Wadsworth Jonathan, Professor of Economics at LSE and member of MAC (08/08/11).

Wastnage John, Policy Manager and Head of Employment and Skills at the British Chamber of Commerce (28/09/12).

Zetter Lionel, Director at The European Azerbaijan Society, former Manager Director of Zetter's Political Service and Former President of Chartered Institute of Public Relations (23/01/12).

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# Appendix 1

## Overview of economic immigration policy reforms and rhetoric, 1997-2010

Year	Economic Immigration	Asylum, integration, family, border controls & irregular	(a) Home Secretary (b) Minister for Immigration
1997		-Primary purpose rule dropped -Opt out of Amsterdam Treaty	a. Jack Straw b. Michael O'Brien
1998	-DTI White Paper Building the Knowledge Driven Economy	-HO White Paper <i>Fairer, Faster, Firmer</i> -Human Rights Act	a. Jack Straw b. Michael O'Brien
1999	-Prime Minister's Initiative on International Education	-Immigration and Asylum Act	a. Jack Straw b. Michael O'Brien/Barbara Roche
2000	-Innovators Scheme introduced -Barbara Roche speech -Work permit criteria reduced	-Race Relations Amendment Act	a. Jack Straw b. Barbara Roche
2001	-Work Permits UK moves to the Home Office -SAWS quota increased to 15,200 places -HO & PIU research paper <i>Migration: an economic and social analysis</i> published		a. Jack Straw/ David Blunkett b. Barbara Roche/ Lord Rooker
2002	-HO White Paper <i>Secure border, safe havens</i> published -HSMP introduced	-Sangatte crisis -Nationality, Immigration and Asylum Act	a. David Blunkett b. Lord Rooker/Beverley Hughes
2003	-SAWS quota increased to 25,000 -SBS created -Working Holiday Makers Scheme liberalized		a. David Blunkett b. Beverly Hughes
2004	-A8		a. David Blunkett/Charles Clarke b. Beverly Hughes/Des Browne
2005	-HO five year departmental plan <i>Controlling our borders: making migration work for Britain</i> published		a. Charles Clarke b. Des Browne/Tony

			McNulty
2006	-Prime Minister's Initiative on International Education renewed for another six years (PMI2) -HO policy strategy <i>A Points-based system: making migration work for Britain</i> published -SBS closed	-Reid declares IND 'unfit for purpose'	a. Charles Clarke/John Reid b. Tony McNulty/Liam Byrne
2007	-A2 -MAC and MIF created	-UK Borders Bill	a. John Reid/Jacqui Smith b. Liam Byrne
2008	-Points-based system fully operational	-IND merges with HM Revenues and Customs to become UK Border Agency	a. Jacqui Smith b. Phil Woolas
2009	-Tier 1 criteria tightened		a. Jacqui Smith/Alan Johnson b. Phil Woolas
2010	-Brown states 'British jobs for British workers'		a. Alan Johnson b. Phil Woolas